JEWS' COLLEGE
יראת ה׳
ראשית דעת
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PUBLICATION NO. 1

The Political and the Social Leaders of the Jewish Community of Sepphoris in the Second and Third Centuries

BY

A. BÜCHLER, Ph.D.

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INTRODUCTION

The great interest attaching to the history of the Jews in Galilee in the first century is not, and cannot be satisfied by Josephus and the New Testament, the two direct narrative sources at our disposal. Both have as their central objects events which engross their whole attention; and they therefore only very incidentally throw light on important details of the inner life of the community. The descriptions in modern writers both of the Galilean Jews and of Galilean Judaism of the first century are indeed vivid and complete; but combination and imagination have played far too great a part in their formation. Other information being so scanty, the usefulness and importance of Rabbinic literature have been of late increasingly recognized, and single parallels are often quoted, if only as illustrations. It is true that this Rabbinic material deals with or reflects the conditions in Galilee in the first half of the second century at the earliest, and it has been on this ground refused illustrative force for the first century by some scholars. Yet it should readily be admitted that popular belief and religious customs, social conditions and abuses, communal organization and the position of the ruling classes, the average man and the violent noble, were almost, if not wholly, the same in the second and first centuries. And just all these points are fully and fairly clearly illustrated in the Talmudic literature.

Not that there is a connected description or narrative of a single point bearing upon the inner life of the Galilean Jews. But the various halakhic discussions and decisions of the schools in Galilee reflect religious needs and deficiencies, worse than the usual, which forced themselves upon the attention of the scholars of the second century and were met by suggestions, well meaning, though without legal force. And there are numerous agadic statements and interpretations of the Bible, fragments of sermons once delivered which dealt with moral life and action in all those manifold forms which are not subject to regulations by law, and which contained impressive admonitions, rebukes forcible or comforting, serious strictures on one section of the population, consolation offered to another. They all reflect actual conditions of life, suffering, resignation, resistance, power, violence and extortion; and if they be once recognized as reflection of facts and their places and dates be determined, they prove an abundant source of trustworthy information. They may sometimes appear one-sided, exaggerated accounts by teachers and preachers prejudiced against the men of position and wealth. If so, they must be reduced to their true value, but must not be altogether rejected without examination.

Of the different classes of the Galilean Jewish population it is the ruling classes who form the subject of this essay, and of them only the leading and wealthy men of Sepphoris. This city was the greatest of Galilee and the centre of the Roman and of the autonomous administrations of the country, and therefore the seat of the representatives of the Jewish community. Consequently most of the incidental references of the rabbis in the Talmud and Midrash to Galilean public life and its bearing on the people concern in the first instance the community of Sepphoris, whether its name is expressly mentioned or not. Before the year 136 information is scanty, as Sepphoris had then only few rabbis; but between this year and the end of the second century there were rather more, and one of the latter, R. José b. Ḥalaftha, was a native of the city and his statements deserve special attention. Towards the end of the second century the central body of rabbis, the Bêth-din, was transferred under the patriarch R. Jehuda I to Sepphoris and retained its seat there for over fifty years. The Mishna was composed there, and several of the collections of the Baraithas were made in the same city. Several scholars not only studied, but lived, taught and preached in Sepphoris itself, and their sermons and other statements reflect the life and the struggles of the population of that town and the ways of dealing of the ruling classes.

But the subject of this investigation will not be their policy and management of the internal administration of the Roman province to the satisfaction of the Roman governors after the death of Agrippa II. It will be confined to the position of the leading and the wealthy men within the Jewish community in their relations to the Jewish population, which honoured them for their official position, and in spite of their inveterate selfishness bore with them for fear of their power and influence grounded on the Roman support at their disposal. All this is reflected in the Halakha and the Agada. As members of the city council of Sepphoris, as judges, as representatives of the Jewish community before the Roman government and as Roman tax-collectors, the leaders of the Jews exercised their power usually in the interest of their own class, and rarely had the time or the sense of duty to think of the needs of the people which they nominally represented. They have left no record of their activity; and the same is the case with the people and those from among their own midst who may have actually represented them.

In the Talmudic sources the rabbis of Galilee appear as the voluntary advocates of the interests of the people. In consequence of the terrible war of bar-Cochba and the Hadrianic persecutions, the rabbis had settled in 'Usha and several other places in Galilee. Living among the people, they soon became acquainted with the ways in which the nobles and the wealthy dealt with them. The rabbis were themselves, as a rule, men of the people, and as such were received by the ruling and landowning class of the Galilean Jews with contempt. In the synagogues and schools, where on the sabbaths and festivals all the Jews assembled, the preachers waged war against the political heads and the social leaders, their injustice as judges, their egotism when acting as representatives of the Jews, their persistent meanness in not supporting the schools and scholars, their dishonesty in their private dealings and their immorality. Of course, instead of succeeding in improving this state of affairs, they incurred the hatred of the classes which they criticized so fearlessly. As their strictures were apt to lessen the respect in which the leaders and the wealthy were held by the people, these not only continued to refuse to support the scholars, but in order to avert the attack, themselves took the offensive. This conflict between the wealthy and influential heads of the community of Sepphoris who were natives of the town, and the poor rabbis who came from Judaea or from villages of Galilee, reveals several points in the inner life of the Galilean Jewish communities which have hitherto been unknown to historians.

CHAPTER I

THE LEADERS OF THE JEWISH COMMUNITY OF SEPPHORIS.

No express data have been preserved about the organization of the Jewish community in Sepphoris in the second and third centuries; yet it may be confidently assumed that it was the same as in all greater cities of Galilee. The Talmudic material on the general organization of the Jewish communities has been collected by Dr. Weinberg in a series of articles.[1] But little or no reference was made by this writer to the political leaders, though the Jewish community like the rest of the population must have had representatives before the Roman government. With these leaders, whether official or unofficial, this chapter will deal, as far as it is necessary for the due appreciation of the communal organization and as far as Talmudic sources give us an insight into actual conditions in Sepphoris.

1. With regard to the official class in Sepphoris the vague title of *Gedolim* (גדולים lit. the great ones) of the city (cf. 2 Kings x. 6) is first to be pointed out. No doubt the word denoted only one class of dignitaries or leaders[2] in Sepphoris, as was the case in Kabul in Galilee.[3] The title existed before 135 in Sepphoris,[4] and

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[1] In *Monatsschrift für die Geschichte und Wissenschaft des Judentums*, vol. 42.

[2] In *Kohel. rabba*, iii. 2, 3: one of the גדולי צפורי had his son circumcised and the people of 'Ên-T'ena went up to do him honour, amongst them R. Simon b. Ḥalaftha.

[3] In *Levit. rabba*, xx. 3: when the son of one of the גדולי כבול married, many people of this town were invited, amongst them R. Zakkai.

[4] *Tanḥuma*, מסעי 1, *Num. rabba*, xxiii. 1: The גדולי צפורי received letters containing threats from the Roman government and they consulted R. Eleazar b. Parta.

was applied to two influential and very rich members of the community of Jerusalem between the years 60–70, who in another passage are quoted as Bouleutes, councillors.[1] No doubt, the Gedolim were influential men in Galilee whose word had weight with the government; from them the Jewish scholars hoped for succour during the merciless religious persecutions of the emperor Hadrian.[2] To them the Roman government sent their official letters, and as late as about the year 300 they represented their city before a Roman delegate in matters of taxes.[3] Probably they are identical with the δέκα πρῶτοι (the first ten) of a city (e.g. those of Tiberias mentioned by Josephus),[4] whose main duty it was to collect taxes and who were held responsible for the full amount of the levy. A scholar about the year 300, R. Isaac, knew a family in Sepphoris called bar-Levianus which belonged to the Gedolim of the country (גדולי הארץ) and which may be identified with a family of Bouleutai mentioned elsewhere as resident in Sepphoris.[5]

Another title is Gedôl haDôr (גדול הדור lit. the great of the generation). This designation characterizes its bearer as one enjoying reputation transcending local limitations. Further, it is probable that, while the title denoted a special dignity or position in the community or the country, it in no case implied scholarship. It occurs in a Baraitha in an enumeration of the dignitaries of the school, of the synagogue and of the community[1]; and the context shows that the Gedôl haDôr belonged to neither of the first two categories, and must therefore be one of several civil leaders of the Jewish community. We find the same distinguished from scholars in statements by teachers of the second half of the third century in Sepphoris.[2] They were so well known in Galilee that R. Simon b. Joḥai in a sermon could apply to 'Elimelekh, Maḥlon, and Khilion (Ruth i. 2) the same title[3]; and an anonymous preacher of the second century used it with reference to Joshua and the high priest Eleazar (*Synh.*, 3 b). Another Tanna of the same time describes ‘Amram as Gedôl haDôr, Moses' father, whose example all the Israelites in Egypt are reported to have followed (*Sota*, 12 a). A preacher about the year 300 applied the title to the leaders of the Jews and the non-Jews in Persia in the times of Esther,[4] and another speaking of the non-Jewish prominent men of Abraham's time uses the same title.[5] From this it is evident that in the two great Galilean cities, in Sepphoris and Tiberias, there were Jews and non-Jews Gedolê haDôr. The majority of the political leaders were no longer Jews as in the times of Josephus, and therefore the few Jews who occupied political positions were respected much more than formerly.

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[1] *Genes. rabba*, xlii. 1: ben-Ṣiṣith haKeseth and Nakdimon b. Goryon גדולי המדינה; in *Kohel. rabba*, vii. 11, Bouleutes, obviously members of the council of Jerusalem, as in *jer. Ta'anith*, IV, 8, 69 a, 26; *Threni rabba*, i. 5. In *Ruth rabba*, i. 1, § 4, 'Elimelekh of Ruth i. 1 is termed one of the גדולי המדינה.

[2] *Ta'anith*, 18 a: R. Jehuda b. Shammu'a and his friend consulted in the Hadrianic persecutions a lady at whose house all the גדולי העיר used to meet. These may have been non-Jews.

[3] R. Levi in *Levit. rabba*, xxx. 7, *Tanḥuma*, אמור, 22, *Pesiktha*, 182 b, said: This can be compared to a town which owes arrears of taxes to the emperor; when he comes to collect the taxes and is within ten miles of the town, the גדולי המדינה go out to meet him and praise him, and he releases a part of the arrears. When within five miles, the Patrobouloi come to meet him and praise him, and he releases another part of the arrears. In *jer. Pe'a*, I, 1, 15 c, 18, we find Dama b. Nethina as the head of Patroboulé in Ashkalon; he was a non-Jew.

[4] *Vita*, 13. 57; *Wars*, II, 21, 9 = *Vita*, 33; *Vita*, 68; Schürer, *Geschichte*^{3}, II, 172.

[5] *Ḥullin*, 87 a; *jer. Sabbath*, XII, 3, 13 c, 69.

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[1] *Pesaḥ.*, 49 b : one should sell all his property in order to marry the daughter of a scholar; if he fails to find such, he should marry a daughter of גדולי הדור; failing this, a daughter of one of the heads of synagogues. Cf. R. Isaac's statement in *Gitt.*, 60 a.

[2] In *Kohel. rab.*, ix. 18, 2, R. Isaac b. Maryon said : He who is insolent to scholars and גדולי הדור commits as great a sin as though he had behaved thus to a king. Obviously גדולי in the plural is required by the context. In *Kiddush.*, 70 b ; *jer. Kiddush.*, IV, 1, 65 d, 47, R. Joḥanan reports that גדולי הדור, whom he knew, had intermarried with people of doubtful descent.

[3] In a Baraitha in *Baba bathra*, 91 a, Tos. *‘Aboda zara*, IV, 4 : They were גדולי הדור ופרנסי הדור (Tos. reads ופרנסי צבור), and God punished them because they left Palestine. R. Ḥanina calls so King David and Daniel in Megilla 15 a.

[4] R. Ḥanina b. Papa in *'Esther rabba* to i. 5 said : King Ahasuerus gave a dinner to all the *people* who were present in Susa; the leaders of the time had fled.

[5] R. Levi in *Baba meṣi‘a*, 87 a.

It must, however, be stated that in some instances scholars in the third and fourth centuries, as it seems without any political position, were styled by rabbis Gedolê haDôr. When about the middle of the third century R. Joshua b. Levi defended his friend R. Ḥanina b. Ḥama of Sepphoris before the people of this city, and accounted for the plague prevailing by the sins of the Jews in Sepphoris, R. Ḥanina said: What can the Gedolê haDôr do, since the community is judged according to its majority?[1] Thus R. Joshua b. Levi himself is referred to by the prophet Elijah in the same way (*Pesiktha*, 88 a, 136 a); and two scholars, explained by 'Abbai to have been the patriarch R. Jehuda I and his friend R. Jacob b. 'Aḥa, are quoted by the Babylonian authority Samuel as Gedolê haDôr (*Moëd Katan*, 22 b).[2] R. 'Assi of Tiberias about the year 300 speaks of the officials of the temple of Jerusalem under the same designation (*jer. Pe'a*, VIII, 7, 21 a, 28). It seems from a statement of R. Levi of about the same date that members of the highest religious body, usually called the elders, were designated by this title.[3]

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[1] *Jer. Ta'anith*, III, 4, 66 c, 61 מה יעשו גדולי הדור. R. Joshua applies the title in *Threni rab.*, i. 6 to the responsible leaders in Jerusalem before the destruction.

[2] In *Gittin*, 23 b, R. Ze'ira and R. Samuel b. Isaac are given this title. In *Levit. rab.*, xvii. 5, R. Jonathan of bêth-Gubrin, in his farewell address to the Jews of an hospitable community, calls the scholars גדולי ישראל, whereas in the second century R. Jehuda b. 'Il'ai on a similar occasion in his thanks to the Jews of 'Usha (in *Cantic. rab.*, ii. 5, 3) calls his colleagues גדולי התורה and רבותינו. Even R. Eliezer, the son of R. Josê the Galilean, applies the title only indirectly to the same scholars; cf. *Pesaḥ.*, 66 a, 70 b.

[3] In *Lev. rab.*, xxx. 7, *Pesiktha*, 183 a, and parallels, R. Levi said: On the eve of New Year גדולי הדור fast; from New Year to the day of Atonement the יחידים fast; on this day all people fast. The political leaders cannot possibly be meant in this connexion, and in the original passage

Several contemporary scholars of Sepphoris in the first half of the third century refer to the Gedolim,[1] blaming them for not consulting other people on important matters,[2] for not doing their duty,[3] for being impatient with the people,[4] and in the opposite sense, for yielding to popular clamour.[5] Once the people are reproached with speaking of their Gedolim in a disparaging way.[6] A statement by a scholar of the end of the third century who interprets the reproach against the great to refer to the patriarch,[7] would suggest that the blame levelled against the great was aimed at R. Jehuda II or III and his supporters. Forced by the heavy burdens imposed by the Romans during the continuous wars, this patriarch seems to have sided, unlike his predecessors, with the

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on the procedure on fast-days because of distress (*Ta'anith*, 10 a. b) the גדולי הדור are not mentioned at all. According to R. Jehuda b. Simon in *Cant. rab.*, vi. 5, the Bêth-din decrees the fast, and יחידים, children and elders fast. It would follow from the comparison of the two passages that the leaders of the time were the elders. See גדולי גליל in *Ḥullin*, 106 a.

[1] Jerem. v. 5 uses the word to denote the leaders of Jerusalem; also in vi. 13; 2 Kings x. 11; Jonah iii. 7; Nahum iii. 10; see also רבי המלך in Jerem. xxxix. 13, xli. 1.

[2] R. Jonathan b. Eleazar in *Genes. rab.*, viii. 8 said: We should learn from God who at the creation of the first man consulted the angels, that the great man should not think it below his dignity to consult a man below him.

[3] R. Hosha'ya in *Deut. rab.*, i. 10 said: When Israel obey their great men, but these do not do their duty, the responsibility lies with the great men; when, however, the people do not obey, the sin of the great men rests upon the people.

[4] In *jer. Rosh haShana*, II, 5, 58 b, 58, R. Joḥanan and R. Simon b. Lakish differ on the meaning of Psalm cxliv. 14. R. Joḥanan said: When the great bear the little, there is peace; R. Simon said: When the little bear the great, there is peace (cf. *Ruth rab.*, Prooem., 6).

[5] R. Joshua b. Levi in *Deut. rab.*, i. 10 said: When the little obey the great, the great decree and God realizes their decrees; but when the great follow the little, they fall upon their faces.

[6] R. Hosha'ya in *Lev. rab.*, xviii. 4 said: The Israelites in the wilderness were punished with leprosy and issue for having talked evil of their great men by saying: this family is one of a leper.

[7] R. Samuel b. Naḥman in *Deut. rab.*, ii. 19 said: What the great do, their contemporaries do after them. For instance, if the patriarch allows a thing, the vice-president, against his own conviction, follows suit, and so do all the members of the Bêth-din.

political leaders of the Jewish community, and to have ignored the spiritual leaders, the teachers who sided with the people. Our poor knowledge of the actual conditions of Galilee in the middle of the third century hardly enables us to interpret satisfactorily the complaints of the scholars embodied in the statements quoted.[1]

Already in the second century we find some similar strictures on the Gedolim. An anonymous statement emphasizes the truth that all elders, Gedolim and prophets alike [2] were bound to observe the commandments; and this implies that such emphasis was necessitated by actual conditions of the time.[3] In singularly strong terms R. Jehuda b. 'Il'ai, a leading member of the Bêth-din in 'Usha, blames the Gedolim of his time, applying to them Deut. xxxii. 32, 33.[4] He calls them full of gall and poison, and calls the heads (ראשים) cruel, without illustrating his charges. But other references will show that it was in their capacity of collectors of taxes for the Roman government and in their allotting the public burdens imposed upon the community that they exhibited so little sympathy with the less wealthy members of the towns. Reference must be made also to the ראשים just mentioned, a title given probably to the same leaders of the community, but in all instances borrowed from the Bible passages applied to them.[1] They are on one hand the representatives of the Jews in times of distress, on the other hand they do wrong and ought to have been prevented from doing so by the influential scholars.[2]

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[1] R. 'Aḥa in the fourth century in *Pesiktha rab.*, xii. 50 b derived from Exod. xvii. 12 a the statement that, when Israel is in distress, its great men impose upon themselves suffering with the nation (cf. *Ta'anith*, 11 a; *Mekhiltha R. Simon*, p. 83, and *Mekhiltha*, 54 b). Obviously the great of his time acted in a different way, and so in the second century did those mentioned in the Baraitha in *Ta'anith*, 11 a, who separated themselves from their people in distress.

[2] *Sifrê Deut.*, 48, p. 84 b: כי אם שמור תשמרון את כל המצוה הזאת. שמא האמר ישנן בני הזקנים ישנן בני הגדולים ישנן בני הנביאים ת"ל כי אם שמור תשמרון את כל המצוה הזאת, מגיר הכתוב שהכל שוים בתורה.

[3] R. Simon b. Joḥai in *Genes. rab.*, xxvi. 5 in interpreting Gen. vi. 2 said: Lawlessness which does not proceed from the great is no real lawlessness. He refers to the leading class and not to scholars, since he translates the sons of God by בני דייניא, judges. These we find also in *Sifrê Deut.*, 13 where an anonymous Tanna derives from 'I will make them rulers over you' (Deut. i. 13) that the sins of the Israelites rest on the heads of their judges in accordance with Ezek. xxxiii. 7. The reference to the responsibilities of a prophet shows that the judges mean leaders, and in fact the *Midrash Tanna'im*, p. 8, reads בפרנסיהן. Cf. R. Simlai's saying in *Synh.*, 8 a, where דיין is a leader.

[4] *Sifrê Deut.*, 323: אשכלות מרורות למו, שהגדולים שבכם מרתן פרוסה בהן כנחש, ואין אשכול אלא גדול . . . . חמת תנינים יינם שהחסידים והכשרים שבכם המתן כתנינים. וראש פתנים אכזר, אלו הראשים שבכם כפתן הזה אכזרי. דבר אחר, חמת תנינים יינם, המהונים יראי חטא שבכם חמתם כתנינים. וראש פתנים אכזר, אלו הראשים שבכם כפתן הזה, the gall is spread in the great among you as in a serpent; the poison of the pious and well reputed among you is like that of snakes; the heads among you are cruel like an asp. Another explanation: the poison of the cautious and sin-fearing among you is like that

2. We find in a statement of the second century quoted above (p. 9) that some of the Gedolim of the generation were at the same time Parnesê haDôr (פרנסי הדור *Baba bathra*, 91 a, *Tos. 'Aboda zara*, IV, 4). It would be a great mistake to identify this Parnas with the head of the charity organization within the Jewish community. He is connected with the political organization of the

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of snakes, and the heads among you are like asps. On account of the interpretation of אשכל as 'great man' (*Sota*, 47 a. b) one would be inclined to think that the scholars are blamed here, and to assume that R. Jehuda used concerning the scholars the strong language of his teacher R. Eliezer b. Hyrkanos in *Aboth*, II, 10, and even his similes. But the good qualities of the men characterized tend to show that R. Jehuda had non-scholars in view; and the titles גדולים and ראשים (see below) make it certain that the political heads are meant.

[1] R. Joshua b. Levi in *jer. Horay.*, III, 9, 48 b, 71 said: Who has the precedence, the head or the elder? The elder, for there would be no head if there were no elder. Moses in Deut. xxix. 10 mentions the heads before the elders, Joshua in xxiv. 1 the elders first. R. Ḥanina of Sepphoris in *Sabb.*, 54 b, 55 a, using Is. iii. 14, said: God will punish the elders for not having prevented the leaders (שרים) from doing wrong. Who were meant by heads is evident from R. Levi's statement in *jer. Horay.*, III, 9, 48 c, 4: Moses mentioned the heads before the elders, for he saw in prophecy that the Israelites will once be handed over to the nations and the heads will then protect them. They are clearly the political representatives of the Jews.

[2] The head of a town is mentioned in the advice given by R. 'Akiba to his son in the Baraitha in *Pesaḥim*, 112 a: Do not live in a town the head of which is a scholar.

Galilean towns only, and his function is in no way to be mistaken for that of the Parnas frequently quoted in the Talmudic literature. A Parnas of the latter type was for instance R. Eleazar b. Pedath in Sepphoris, but he had nothing to do with representing the Jews in matters of government. On the other hand the fact that Moses is termed the Parnas of Israel to whom Joshua succeeded in the same dignity,[1] and that the high priest 'Eli[2] and King David[3] are given the same title, is sufficient evidence that Parnas denoted the general leader or leaders of the people and not merely the administrator of charity. The comprehensive nature of the function of these Parnasim is brought out in the tradition describing Moses and David as offering their lives for Israel in their capacity of Parnasim. They are in the same passage compared to the Gedolê Israel who are held responsible for their people.[4] We find R. Gamaliel II, the head of the Bêth-din in Jamnia, denominated Parnas of the generation by R. Joshua b. Ḥananya, his colleague,[1] and similarly with his son and successor R. Simon b. Gamaliel II in 'Usha, both the official representatives of Palestinian Judaism in the first and second century respectively. In the third century the patriarch Jehuda II is referred to by the same title,[2] so that it is evident that these leaders of the Jews were termed Parnasim. Their position was hereditary for several centuries, and it is probably with reference to them that a second-century Halakha states that the dignity of Israel's Parnasim (פרנסי ישראל) is inherited from father to son.[3]

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[1] *Sifrê Num.*, 137, 138, 139, 141; *Sifrê Deut.*, 26, 334 (here of Joshua נתמנה פרנס על הצבור), *Joma*, 86 b. In *Sifrê Num.*, 139 God showed Moses all the פרנסים who will rule over Israel from his times till the Messiah will come. The words אלו תלמידי חכמים are, no doubt, a mistake, as the context clearly shows. It is true we find the title given to scholars in *Sifrê Deut.*, 357, p. 150 a, namely to Hillel, R. Joḥanan b. Zakkai and R. 'Akiba, just as in *Seder 'Olam*, ch. XII, XIII, to Joshua and 'Eli. Yet these scholars are not enumerated in the capacity of scholars, but as the leaders of the Jews. As to R. 'Akiba, see *jer. Sota*, IX, 10, 24 a, 27, ולא עמד אשכול עד שעמד רבי עקיבה. וכל הזוגות לא היו אשכולות? אלא אילו שמשו פרנסות ואלו לא שמשו פרנסות, There was no אשכול before R. 'Akiba. Were not all the pairs of scholars אשכולות? Yes, but the difference between them and R. 'Akiba is that they did not serve as Parnasim, whereas R. 'Akiba served as Parnas.

[2] *Seder 'Olam*, ch. XIII, פרנס את ישראל in the form of a verb.

[3] *Sifrê Deut.*, 344 on Deut. xxxiii. 3: The holy ones are the Parnasim of Israel who defend Israel and give away their lives for them; thus Moses in Exod. xxxii. 32, and David in 2 Sam. xxiv. 17. (In *Mekhiltha*, Introduction, p. 2 a, R. Jonathan said: Thus you find that the אבות and the prophets gave away their lives for Israel, thus did Moses and David.) R. Ḥanina calls David a great of the generation in *Meg.*, 15 a.

[4] In *Sifrê Deut.*, 344, on Deut. xxxiii. 3, כל קדושיו בידך, אלו גדולי ישראל שמתמשכנים על ישראל. The verb משכן occurs in the Hithpa'el in *Mekhiltha*, 66 b: one commits a sin in secret and the whole people (מתמשכן) is held responsible, as in the case of 'Akhan.

The *Parnasim of the generation* were men of wealth and were expected to assist their people in times of famine.[4] And in fact we learn that the patriarch

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[1] In *Berakh.*, 28 a, R. Joshua reproaches R. Gamaliel: Woe to the generation whose Parnas you are; you do not know the sorrow of the scholars, how they maintain themselves. The reference to the condition of the scholars does not prove that a Parnas is meant who had to look after the poor. He is the head of the central school and of the Jewish community in Palestine, and in this capacity he ought to take cognizance of the hard struggle of the scholars. In the Baraitha in *Horay.*, 13 b, an anonymous Tanna said: If sons of a scholar who is appointed פרנס על הצבור, are able to understand the lecture, they sit in front of their father with their backs to the people. If the definition given is correct, this statement could refer to the patriarch only. In fact R. Joḥanan refers it to the times of R. Simon b. Gamaliel II and to his Bêth-din in 'Usha. The parallel in *Tos. Synh.*, VII, 9, has instead בני חכמים ותלמידי חכמים, and extends the privilege to the heads of all schools.

[2] In *'Arakh.*, 17 a there is reported a controversy between Jehuda II and the contemporary scholars as to whether the people are according to the Parnas or the Parnas according to the people. It is obvious that the patriarch himself is meant by the Parnas (Bacher, *Palaest. Amoräer*, I, 533, 8).

[3] In *Sifrê Deut.*, 162, on Deut. xvii. 20 we read: When the king dies, his son succeeds him. The same applies to all the פרנסי ישראל, their sons succeed them. This can hardly refer to scholars who could not be compared to kings, whereas the patriarchs descending from David actually ruled over the people. In R. Joḥanan's statement in *Sabb.*, 114 a איזה תלמיד חכם שממנין אותו פרנס על הצבור, Who is the scholar that could be appointed the leader of the community? probably the head of an individual community is meant, as in R. 'Akiba's advice given to his son in *Pesaḥ.*, 112 a: Do not live in a town the head of which is a scholar.

[4] In *Ruth rab.*, i. 1, § 4: 'Elimelekh was one of the great men of the city

R. Jehuda I in Sepphoris in years of drought opened his stores and invited all scholars and even those possessed only of some knowledge, to take food (*Baba bathra*, 8 a). He must have been one of the Parnasim, as both his predecessors and his successor were, as we have seen. Now we find that the support of the poor in times of famine was considered the duty of the Bouleutes.[1] This would suggest that Parnas was sometimes used to denote a member of the council of the city. Since these councillors were considered the most important persons of the population,[2] it is not improbable that the comprehensive title 'Parnas' was applied to them. Sepphoris had Jewish Bouleutai in the third century,[3] and their position is characterized by the fact that at the court receptions of the patriarch they had the precedence[4]; a fact that at the same time points very strongly to the high function of the patriarch as the official representative of the Palestinian Jews.

All these leading members of the Jewish community in Sepphoris constituted the Jewish nobility in that city. From several passages of the second century it seems that there lived in Sepphoris members of the Jewish

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and of the Parnasim of the time. When the years of famine came, he was afraid lest all the Israelites would come begging with their baskets, and to escape this he fled abroad.

[1] In *Ruth rab.*, i. 1, § 4: Of a Bouleutes living in the city the inhabitants thought he would be able to supply food in the years of drought for the city.

[2] R. Ḥelbo and the scholars discuss in *jer. Nedar.*, VI, 13, 40 a, 53 the meaning of חרש ומסגר in 2 Kings xxiv. 14; R. Ḥelbo said, these denoted the scholars; his opponents said, they meant the Bouleutai.

[3] *Jer. Pe'a*, I, 1, 16 a, 34. *Sabb.*, XII, 3, 13 c, 69: There were two families in Sepphoris, one descending from Bouleutai and the other from private people. They went every day to greet the patriarch, and the Bouleutes had the precedence in going in and coming out. About the middle of the third century we find R. Simon Bouleuta reporting in the name of R. Ḥanina of Sepphoris in *jer. Pesaḥ.*, IV, 1, 30 c, 69; he must also have been the son or grandson of a councillor.

[4] R. Joḥanan, in *Synh.*, 8 a, terms Joshua דַּבָּר, leader: Moses said to Joshua, You will act with the elders; God said to Joshua: one leader and not two leaders at the same time.

royal family.[1] The references to them are all incidental and only mention some minor details of their luxurious and easy life.[2] No traces of their relations to the Jewish community have been preserved, and it is impossible to state whether they were children of Agrippa II (according to Schürer, I^3, 600 he probably had none,) or distant relatives of his.

3. Whether there was any intercourse between the Jewish nobles of Sepphoris and the scholars, is not reported expressly. But several teachers of the third century criticize the haughty (גסי הרוח) in a manner which suggests that the object of attack was the political leaders of the community. R. Ḥanina of Sepphoris said (*Synh.* 98 a): The Messiah will not come ere the haughty

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[1] In *Tos. Sota*, III, 16, R. José b. Ḥalaftha of Sepphoris said: 'Abshalom cut his hair every Friday, which not even בני טבריא ובני צפורי, people of Tiberias and Sepphoris do. If the average men of these two greatest cities of Galilee were meant here, there would be no climax expressed in R. José's statement, for 'Abshalom was a prince. They were undoubtedly people of very high position, at least equal to 'Abshalom. They could have been either descendants of Agrippa II, who continued living in Galilee, or members of a non-Jewish nobility, Palestinian or Roman. The parallel in *Nazir*, 5 a, runs: R. José says, 'Abshalom cut his hair every Friday, as we find that the princes do so every Friday. (The same in *Mekhiltha* on Exod. xv. 2, p. 36 a, except that the author is Rabbi; obviously the name José has dropped out.) That they were Jews, follows from *Berakh.*, I, 2, where, concerning the latest time when the Sh'ma' may be said in the morning, R. Joshua said, Till the third hour, for it is the custom of princes to get up at the third hour. Similarly Jewish princes are referred to in *Sabb.*, VI, 9: on the Sabbath, boys may go out with knots and princes with bells; this latter permission applies to everybody, only the teachers deal with actual occurrences.

[2] *Sabb.*, XIV, 4: On the Sabbath princes may smear their wounds with rose oil, since princes are accustomed to do so on week days; R. Simon said: All Jews are in this respect princes. *Sabb.*, 129 b, *Tos.*, XV, 3, *jer.*, XVIII, fin., 16 c, 70: R. Simon b. Gamaliel said: Princesses may hide the after-birth on the Sabbath in vessels of oil, rich ladies in tufts of wool, poor women in hackled wool. In *Sabb.*, 80 b, Rabh said: Jewish girls who have reached puberty, but not the legal age, if poor, apply lime as a depilatory, if rich, flour, princesses apply myrrh oil. Here the introductory words clearly prove that the princesses were Jewesses. Rabh lived for several years in Sepphoris. R. Meir in *Lev. rab.*, vii. 3 said: It is a custom with princes to invite their brothers and sisters to dine with them.

disappear from Israel. Since he does not give any further description, it is not certain that he is referring to the nobility; he may just as well be alluding to haughty scholars. But the same rabbi said (*Zebaḥ.*, 102 a): The dignity given by God to a man is given to him also for his children; but haughtiness is the cause that God humiliates him. This inclines one to the conclusion that R. Ḥanina's attack is directed against the nobility and not against teachers. For besides the dignity of the patriarch no other hereditary position is known to have been held by a scholar, whereas political leadership and membership of the council depended on property and wealth and was therefore hereditary. R. Ḥanina's reproach refers to an honorary position of this kind, although he clearly characterizes it as one which for some exceptional reason could be withdrawn.[1] The hereditary line of the patriarchs continued for a long time after R. Ḥanina in the same family, so that when he refers to the cessation in the hereditary dignity, he cannot have alluded to the patriarchs; hence he must have had in mind the nobles in their official position. These and similar strictures on the Galilean nobility are to be found only in the third century[1]; this indicates that some changes in the relations between the leaders of the community and the teachers took place which occasioned the complaints of the rabbis.

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[1] They are probably the same dignitaries of whom R. Simon b. Jehoṣadak in *Joma*, 22 b said: Only he should be made פרנס על הצבור from whose back a basket of unclean insects is hanging, in order that, in case he should become overbearing, he might be told: look behind your back! (Cf. the פרנס המתגאה על הצבור in the Baraitha in *Ḥagiga*, 5 b.) This strange characterization of the leaders agrees with R. Joḥanan's statement concerning the גדולי הדור in *Kiddush.*, 71 a, *jer.*, IV, 1, 65 d, 47, that they had intermarried with people whose descent had been open to blame. R. Jonathan b. Eleazar of Sepphoris in a long interpretation of Num. xxi. 27–30 in *B. bathra*, 78 b, blames immoral and haughty people who deny God. These points apply best to the Gnostics, of whose school in Sepphoris there are traces in the Talmudic literature. In '*Arakh.*, 16 a, the same R. Jonathan said: There are seven kinds of sin for which leprosy is the punishment: denunciation, bloodshed, false oath, immorality, haughtiness, robbery and grudging. It would be unfair to refer this enumeration of vices to one single class of the Jewish population in Sepphoris, although we shall find that several of these points applied to the rich. R. Alexander in *Sota*, 5 a said: He in whom haughtiness prevails, is confounded by the weakest wind. It may be that this refers to a man in high position. R. Joḥanan in *Sota*, 4 b said: The haughty will ultimately fall and commit even the sin of adultery. R. Ḥama b. Ḥanina, the son of R. Ḥanina of Sepphoris, said in *Sota*, 4 b: Haughtiness is as great a sin as incest, both are termed abominations, Lev. xviii. 27, Prov. xvi. 5; cf. R. Simon b. Joḥai in *Sota*, 4 b: A haughty man is like an idolater, of both the Bible speaks as an abomination.

With even greater persistence scholars were assailed when they exhibited any degree of haughtiness. Although it was a rare case, yet it happened that the knowledge they had acquired made teachers proud and their colleagues had to suffer from their conceit. Already in the school of Jamnia or Lydda in R. 'Akiba's times there was occasion to denounce this failing,[2] but in Sepphoris the complaint is more persistent. Several scholars not only reprehend it most emphatically, but also demand humility of a student of the Torah as an indispensable quality.[3]

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[1] The only scholar of the end of the second century who deals with the same failing of men, is, as far as I see, R. Simon b. Eleazar in *Aboth R. Nathan*, IX, 21 a.b, *Sifra*, 73 a, 9, *Tanḥuma*, מצורע B. 8: for denunciation and haughtiness leprosy is the punishment. But this is identical with R. Jonathan's statement, so that both must have had the same occasion for this blame. Similar is *Derekh 'ereṣ*, II, *Aboth R. Nathan*, 2nd version, XXXV, 43 a, האימתנין והנפתנין והוחתנין והודונים ועזי פנים ובעלי זרועות עליהם הכתוב אומר כי זרועות רשעים תשברנה, those who terrify, act overbearingly, who are haughty, presumptuous, insolent and violent, will be crushed.

[2] In *Aboth R. Nathan*, XI, 23 b, R. 'Akiba said: Whoever acts overbearingly on account of his learning, is like a carcass thrown away in the street; everybody passing holds his nose and runs away from it.

[3] R. Josê b. Ḥalaftha in *Aboth R. Nathan*, XI, 23 b, said: He who is overbearing on account of his learning, will ultimately be humiliated; and he who humiliates himself on account of his learning, will ultimately be raised. R. Ḥanina b. 'Idi, about 200, said in *Ta'anith*, 7 a: Just as the water descends from the height to the lower regions, so the knowledge of the Torah is preserved only in the humble. In an anonymous Baraitha in *Berakh.*, 43 b, it was considered discreditable for a scholar to walk erect in the street. R. Jannai in *Midrash Psalm* v. 1 said: Only he who makes himself similar to the pasture on which all tread, will acquire Torah; but, if he becomes haughty, chastisement will come upon him. R. Ḥanina in *Deut. rab.*, viii. 6, said: The Torah was given

The sentences glorifying humility and self-denial generally and denouncing arrogance most strongly are so numerous that it must have been the public audience that required to be taught the lesson. The heads of the Jewish community in Sepphoris looked down upon the teachers, as will be seen later on, and the wealthy middle class followed suit in considering the scholars below them. The only weapon in the hands of the learned was to preach humility and to denounce pride and haughtiness. The general results of their objective fight are not known, though several details of the unequal struggle have come down to us.

together with all the tools required for it: modesty, justice, straightforwardness and its reward. R. Joḥanan in *Sota*, 21 b, said: Learning remains only with him who regards his own person as nothing. And in '*Erub.*, 55 a he said: Torah is not to be found with the haughty, nor with the merchants, nor with the traders.

CHAPTER II

JEWISH OFFICIAL JUDGES IN SEPPHORIS IN THE SECOND AND THIRD CENTURIES.

1. It may be assumed as very probable that the Jews of Judaea and Galilee had autonomous courts of their own after the complete dissolution of the Jewish state in the year 70, and that they continued bringing their civil cases before these Jewish courts.[1] But very little is known about these autonomous institutions. Only incidental references in the Talmudic literature give scanty information, and even those merely report occasional decisions and judgments by individual rabbis in their schools or by three scholars constituting a formal court for that one occasion.[2] But it is not with these that we have to deal in our investigations as to the leaders of the community in Sepphoris, but with the official Jewish judges, recognized by the Roman government, whether their appointment was by the city or by a Jewish authority. This is a point which to my knowledge has so far not been examined by historians, though for the internal life of the Jewish community in Sepphoris and Galilee at large it is of no little moment.

The official judges were as a rule not scholars, but, in accordance with the early organization of the Israelites in biblical times, were the heads of the cities or towns, i.e. the nobles. Their decisions and judgments were therefore not based on Rabbinical law, which they had not learnt, but, in all probability, on precedent and common sense. Before schools of rabbis existed in the Galilean cities, nobody questioned the principle from which the nobles derived their judgments; at most the individual decision was considered unjust. When after the war of bar-Cochba the school of Jamnia was transferred to 'Usha and scholars settled in different towns and places, especially in Sepphoris, the principles commenced to be examined by the rabbis and we suddenly hear them complain of injustice in courts, admonishing the judges from the pulpits to be just, and urging upon their minds the importance of careful judgment. All this information has to be derived from incidental remarks the close and detailed examination of which will therefore not be deemed superfluous.

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[1] *Gittin*, 88 b, R. Tarfon's statement, *Midrash Tanna'im* on Deut., p. 96, *Tanḥ.* משפטים 6, *Yalkut Mekhiri* on Isa., p. 12 ff.

[2] The data were collected by H. P. Chajes in *Revue des Études Juives*, 1899, XXXIX, 39–52.

2. Two scholars of the second half of the second century are reported to have been in the service of the Roman authorities in Galilee in some capacity or other, R. Ishmael b. R. Josê and R. Eleazar b. R. Simon (*Baba meṣiʿa*, 83 b). But the exact nature of their respective positions it is difficult to state.[1] Now we find R. Ishmael also acting as judge, and as such he was extremely particular as to his judgments being in the slightest way influenced by any personal considerations (*Makkoth*, 24 a). Whether he was appointed as such by the Roman authorities, is not reported. One of his judgments is incidentally quoted[2]: he assigned alimony to a woman

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[1] See Jastrow in *Grätz' Monatsschrift*, 1882, XXXI, 185 ff., Grätz in 1884, XXXIII, 490, Krauss in 1894, XXXVIII, 151 ff.

[2] *Jer. Kethub.*, XIII, 1, 35 d, 3: מעשה בי רבי ישמעאל שפסק מזונות לאשה בשוקי בצפורי. מה בשוקי. שמע רבי ומר מאן אמר ליה שלא שילח לה מאן אמר ליה שלא הניח לה, R. Ishmael assigned alimony (from the estate of an absent husband) to a woman, in the market of Sepphoris. Rabbi, when hearing of it, said: Is it not possible that the husband has been sending alimony to his wife or left her means (before going away)? In *Kethub.*, 107 b we read: It happened that Rabbi assigned alimony to a woman from the estate in bêth-She'arim, the case came then before R. Ishmael in Sepphoris and he assigned no alimony to the woman. R. Joḥanan, the 'Amora, could not account for R. Ishmael's decision.

in the market of Sepphoris and the patriarch R. Jehuda I disapproved of it. The way in which the patriarch criticized the decision shows that R. Ishmael was not yet, as later on, a member of R. Jehuda's school, and the latter had no means of reversing the judgment.[1] This happened when R. Ishmael was not yet a rabbi, but a judge. The principle on which he based his decision was evidently not the Rabbinical law applied in the schools of the rabbis. Again, the judgment was given in the market. Although we could interpret this to refer to the Basilica of the forum in Sepphoris, it is certain that the rabbis would not have chosen this place for their sitting. This, too, confirms the explanation that R. Ishmael was a judge of the city of Sepphoris or of the Roman government, giving judgment in the forum.[2]

R. Ishmael was the son of R. Josê b. Ḥalaftha of Sepphoris and must have had a fair knowledge of Rabbinical law when he became a Roman official and afterwards a judge. His father had been his teacher, as the many halakhic utterances quoted by R. Ishmael in R. Josê's name show. Therefore when, in spite of this, the decision of his quoted above differed essentially from the law adopted by the central authority, we must assume that either his own conviction forced him to differ from it, or the law by which he had to judge was different from the

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[1] Later on R. Ishmael completely submitted to the patriarch, *Synh.*, 24 a, *Kohel. rab.*, i. 7, § 9.

[2] This may be meant in the warning to judges by R. Ishmael's contemporary, R. Eleazar haKappar in *Aboth R. Nathan*, 2nd version, XXXIV, 38 b: אל תהי זקוק לדין ואל תירא לפני מי שהוא גדול ממך ועשה שוק בעלי דבבך Do not engage in judgment, be not afraid of a man greater than you, and make the forum your enemy. This would indicate that scholars were offered the office of judge. Thus R. Ishmael himself in *Aboth*, IV, 7 (in *Aboth R. Nathan*, 2nd version, XXXIV, 38 b, R. Eliezer haKappar, Eleazar haKappar's son) said: He who refrains from giving judgment, frees himself from enmity, robbery and false oath; but he whose heart is bold in giving decisions, is a fool, wicked and overbearing. Judge not alone, for none may judge alone save One. The authorities in Sepphoris allowed one judge to decide, contrary to the Jewish law, and therefore the greatest possible care was required.

Rabbinical.[1] If he was in the Roman service, he certainly had to apply the Roman or the general Palestinian law. That some of the rabbis knew the Roman or the Palestinian law even before the year 135 in the schools of Judaea and later in Galilee, is evident from several passages. When a Jew and a non-Jew brought a case before R. Ishmael b. 'Elisha', he applied either the Jewish or the non-Jewish law, whichever was most in favour of the Jew. He appeased his scruples by referring to Deut. i. 16. R. Simon b. Gamaliel II said: This verse does not justify that procedure; and he applied that law for which the parties asked him.[2] The same non-Jewish law we see referred to by R. Ḥiyya of Sepphoris, a friend of R. Ishmael b. R. Josê, and by R. Hosha'ya, a scholar of the first half of the third century who lived in Caesarea and in Sepphoris.[3] It is possible that the Roman government conceded to the Jews the application of their native civil law only on the condition that they should apply non-Jewish law in case the parties desired to be judged by it.[1]

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[1] In *jer. Synh.*, VII, 2, 24 b, 56, it is reported that when the Roman government deprived the Jews of civil justice, R. Simon b. Joḥai exclaimed: May God be praised that I do not understand judging! Does it mean that Jewish scholars knowing non-Jewish law were forced to become members of courts under Roman authority, and R. Simon, having no knowledge of that law, was glad to be disqualified?

[2] *Sifrê Deut.*, 16. The same is found in *Baba Kamma*, 113 a in a Baraitha: If a Jew and a non-Jew come before you for judgment, judge them according to Jewish law, if you can do so in favour of the Jew, and tell the non-Jew: that is our law. If you cannot give judgment in favour of the Jew except by non-Jewish law, do so, and tell the non-Jew: that is your law. If this is not possible, use subtle ways. All this is R. Ishmael's view. R. 'Akiba said: Do not use subtle ways, for the sake of the sanctification of God's name.

[3] *Jer. Baba Kamma*, IV, 3, 4 b, 26, R. Ḥiyya taught: If the ox of a non-Jew gores that of another non-Jew, although they agree to submit to Jewish law, the judgment should in any case be full damages. In *Bekhor.*, 13 a, R. Hosha'ya said: If a Jew has given to a non-Jew money for his cow, then he has according to non-Jewish law acquired possession of it even without having drawn the animal to himself, and he is liable to give its firstborn male to the priest. If a non-Jew has given money to a Jew for his cow, then according to non-Jewish law even without drawing it he has acquired possession of it and is free from the duty of giving its firstborn male to the priest.

3. The Jewish judges in the second and third centuries, whether appointed by the Roman officials or in the service of the Jewish community,[2] gave occasion for very serious charges of injustice, the acceptance of gifts and other illegal practices. These charges deserve all the more credit and attention, as the two scholars, R. Ishmael b. R. José and R. Eleazar b. R. Simon, who had been in the Roman service and the first of whom had been a judge, use the strongest possible language concerning the duties of judges. R. Ishmael said (*Kethub.*, 105 b): Woe to those who accept gifts! Since my due rent brought to me by my tenant-farmer impressed me so favourably, how much more must those (judges) be impressed by gifts who actually accept such? R. Eleazar has the following accusations against Jewish judges and judgments (*Synh.*, 98 a): The Messiah will not come before judges and executive officers have ceased in Israel, as Isa. i. 26 says: I will restore thy judges as at the first. And interpreting Isa. xiv. 5, he said (*Sabb.*, 139 a): 'The Lord has broken the staff of the wicked' refers to the judges who became a staff in support of their ushers; 'the sceptre of the rulers' refers to the scholars in the families of the judges. It would almost seem that R. Eleazar meant, by these scholars, himself and other teachers of the same position, who were indispensable to judges who owed their nomination only to their wealth and their position in the community, but had not the

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[1] I. Lewy in *Verhandlungen der 33. Philologen-Versammlung* (Leipzig, 1879, p. 86) expresses the opinion that Roman courts established in Palestine were accessible to the Jews and, as can be seen from some instances, were actually resorted to by Jews, although they were not deprived of their own courts except for a very short time. It would, then, be possible that R. Ishmael in Sepphoris was a judge in the Jewish service who, when required by the parties, applied non-Jewish law.

[2] An incidental reference to the judges of Sepphoris (דייני צפורי) is contained in *Baba bathra*, VI, 7, where they define the area of the ground near the grave required for comforting the mourners.

knowledge requisite for their office. In addition the judges had to depend on the guidance of their inferior officials, who availed themselves of the ignorance of their superiors and abused their helplessness for their own interests.[1] Another scholar of the same period, R. Josê b. 'Elisha',[2] said: When you see an age upon which great visitations come, examine the judges in Israel; and God will not cause his presence to dwell upon Israel, ere the judges and officers cease from Israel. A fourth teacher of the school of the patriarch R. Jehuda I, viz. R. Simon b. Ḥalaftha, said (*Sota*, 41 b): From the day on which the fist of flattering prevailed, justice has become perverted and deeds have been confused, and nobody can say to his fellow man: my deeds are greater than yours. The reproach of this scholar sees the main part of the evil in the dependence of the judge on the influential people who, when parties to a suit, rely on his favour; proofs and facts are of no avail.[3]

4. The unworthy dealings of the Jewish judges were attributed by the preachers in their usual way to Biblical judges of reprehensible character, and therefore it is quite justifiable to infer the actual state of affairs from such Agadas. Different scholars level different reproaches at the sons of the prophet Samuel as judges, reading into 1 Sam. viii. 3, 'They turned aside after lucre' their own experiences with contemporary judges.[4] R. Meir said: They asked their due with their mouths[5]; R. Jehuda

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[1] R. Eleazar haKappar in *Synh.*, 7 b, discoursed: From the juxtaposition of the laws of judgment in Exod. xxi, and the prohibition of having steps leading up to the altar in Exod. xx. 26, the rule is to be derived: 'be careful in giving judgment.'

[2] Baraitha in *Sabb.*, 139 a. Probably identical with Josê b. Saul in *Nidda*, 26 b; *Moëd Katan*, 22 a.

[3] An anonymous Baraitha in *Sota*, 47 b, mentions a similar corruption of justice: Since worldly people increased in number, justice has been perverted and deeds confused, and there is no quietness in the world.

[4] In the Baraitha in *Sabb.*, 56 a, *Tos. Sota*, XIV, 6.

[5] This being no sin in the proper sense, Rashi thinks that R. Meir does not reproach them with wresting judgment. But being the

said: They forced goods on private men; R. 'Akiba[1] said: They took with force an additional basket of tithes; R. Josê said: They took with force priestly dues.[2] The most striking censure, namely that of R. Jehuda, of forcing goods upon private people is proved to have been a fact by the continuation of the statement of R. Simon b. Ḥalaftha quoted above[3]: 'Since those increased in number who forced goods upon private people, bribery has spread and wresting of judgment, and good has ceased.' Judges who were wealthy farmers themselves and wanted to sell their produce, forced merchants and farmers to take and sell it when exporting their own. To refuse to do so would have meant the loss of the favour of the influential judge. In their capacity of Aaronites they extorted tithes and dues of every kind, leaving the farmer no free choice between the poor Aaronite and the dangerous, revengeful judge. All this fits in best with Galilean circumstances; for here alone do we know of Aaronites constituting a considerable portion of the Jewish population, and of land-owners who exported produce. This sad state of justice accounts for R. Nathan's statement,[4] that the judge who accepts gifts and wrests judgment, will not leave this world before one of three

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explanation of the verse quoted, it must imply blame; perhaps they asked the dues of those who had a case to bring before them. In *jer. Sota*, I, 4, 16d, 75, R. Ḥiyya said that the sons of Samuel did not walk in their father's ways, for they accepted tithe and acted as judges in the cause of those who had given them the tithe.

[1] It is obvious that in the series of scholars of 'Usha after 135 R. 'Akiba is a mistake. We find R. Jacob in personal intercourse with R. Jehuda in *Tos. Themura*, I, 17, with R. Neḥemia in *Tos. Zebaḥ.*, XII, 8, and he discusses questions with R. Simon, R. Josê, and R. Meir (Bacher, *Tannaiten*, II, 395); and it seems quite certain that עקיבא has to be changed into יעקב as elsewhere (Bacher, II, 396, 3). The same correction must be made in the Baraitha in *Nidda*, 20 a.

[2] The sons of Samuel who were Levites are here supposed to have taken with force priestly dues, just as the priests of higher rank of the last decade before the destruction of the Temple appropriated all priestly and levitical dues (Josephus, *Antiquit.*, XX, 9, 2, 206 ff.; 8, 8).

[3] *Sota*, 47 b, *Tos. Sota*, XIV, 5.

[4] *Mekhiltha* on Exod. xxiii. 8, p. 100 a, *Sifrê Deut.*, 144.

things have overcome him: confusion in his knowledge of the Torah, so that he will make mistakes in his decisions, dependence on the support of other people, or blindness. Praise had to be bestowed on a just judge. To a judge who judges properly, and to collectors of charity Daniel xii. 3 refers: 'And they that be wise, shall shine as the brightness of the firmament.'[1] All these passages reflect the very unsatisfactory state of the Jewish courts in Sepphoris and in Galilee in the second century.

No change for the better had as yet taken place in the third century in the state of the law-courts in Sepphoris. Moreover, even stronger reproaches were levelled against the Jewish judges. R. Jonathan b. Eleazar, commenting on the sons of the prophet Samuel as judges, said (*Sabb.*, 56 a): Unlike their father who went on circuit to all places, they stayed at home in order to increase the fees of their officials and scribes. Further he said (*Synh.*, 7 a): A judge who gives proper judgment causes God's presence to dwell upon Israel; by judging improperly he causes God's presence to leave Israel. From a judge that takes away from one party and gives to the other unjustly, God takes away the soul. R. Johanan, interpreting Eccl. ix. 16, said it refers to an elder who teaches: 'Ye shall not respect persons in judgment,' and does so himself; 'thou shalt take no gift,' and does so himself; 'thou shalt not lend on interest,' and does so himself.[1] This is undoubtedly taken from actual life in Sepphoris or Tiberias, and reflects three points in the private and the official dealings of the judges. Yet the strongest accusation is that read by R. Simon b. Lakish into Isaiah lix. 3: 'Your hands are defiled with blood' refers to the judges; 'and your fingers with iniquity' refers to the scribes of the judges; 'your lips have spoken lies' refers to the lawyers; 'and your tongue has muttered perverseness' refers to the parties to the lawsuit (*Sabb.*, 139 a). Even if exaggerated, it reveals the corruption of the minds of all the people who had any dealings with the judges in Sepphoris. And though some might style these strictures generalizations of rabbis prejudiced on account of personal experiences, yet they remind us of similar censures by the prophets of the unjust and violent, selfish and unscrupulous judges and nobles in ancient Israel and Judah.

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[1] Baraitha in *Baba bathra*, 8 b. Reference must be made to two statements of R. Simai in Sepphoris about the year 200 on justice and peace. In *Midrash Tanna'im* on Deut. xvi. 19, p. 97, he said: He who wrests judgment, appears to be a lover of peace; in fact, however, he is more distant from peace than anybody; but more than that, he throws Israel on the sword. And in *Mekhiltha R. Simon b. Joḥai*, p. 90, R. Simai said: He who judges properly appears to cause jealousy between men; in fact, however, he brings about peace between them. These exhortations refer to the great and prolonged discussion between R. Simon b. Gamaliel, R. Eliezer son of R. Josê the Galilean and R. Joshua b. Karḥa concerning the admissibility and praiseworthiness or justice of a compromise by the judge himself (*Tos. Synh.*, I, 2; *jer.*, I, 1, 18 b 11, b. 6 a.b). We do not know whether the principle of compromise was suggested to the scholars by foreign judges in Galilee, or whether quarrels between Jews and non-Jews had suggested it as a means to avoid the law-courts of the Romans.

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[1] *Kohel. rab.*, IX, 16. R. Johanan in *Baba bathra*, 15 b, commenting on Ruth i. 1, said: In the days when people judged the judges, when the judge said: Take the chip from between your eyes, the man replied: Take you the beam from between yours. When the judge said: Your silver has become dross, the man replied: Your wine is mixed with water. In *Pesiktha*, p. 123 a, R. Johanan illustrates Isa. i. 23: When a certain man went up with his cause to Jerusalem, the judges ordered him to split wood and draw water, so that the man's money was meanwhile spent and he had to return home without any result. A widow met him on the way and, on inquiring how he fared in Jerusalem, learnt the result. This induced her to give up her cause. The story is, of course, made up, but its elements were borrowed from Galilean occurrences. And R. Eleazar b. Pedath composed the following story about the judges of Jerusalem, though he probably had in view the judges of Sepphoris: When a man died in Jerusalem and guardians were appointed for the orphans, the widow who asked for her marriage settlement, and the orphans who contested her claims, found, on going to a judge, that this latter was in conspiracy with the tutor. An actual instance of Jewish judges in Caesarea in the first half of the third century is preserved in *Kohel. rab.*, ii. 17: R. Hosha'ya was informed that his judges were drinking wine in public; at first he did not believe it, but when he convinced himself of the truth of the statement he wished to die. It seems as though R. Hosha'ya himself had appointed those judges, since he feels so very much grieved. But it may be that they had been selected by some public authority, and he was their president in the sittings.

5. From the judges, the strictures of the scholars turned against those who were responsible for the selection and the appointment of such judges. According to a passage of the second century, it seems that in Galilee the nomination of the judges was then in the hands of one man, and that in his choice of men for this highly responsible position he was guided by considerations of relationship and wealth and by similar grounds.[1] In the third century R. Simon b. Lakish of Sepphoris and Tiberias said: He who appoints an unjust judge is as though he would plant an idolatrous tree.[2] In those times it was the patriarch R. Jehuda II or III who appointed ignorant judges, and the scholars laughed at them in public.[3] This prerogative of appointing judges he, no doubt, enjoyed with the consent of the Roman authorities. It seems that he was not the first to possess this right, for we find that R. Jehuda I appointed rabbis as judges.[4] Yet these hardly had the

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[1] *Sifrê Deut.*, 17: 'You shall not respect persons in judgments' (Deut. i. 17), refers to him who is appointed to appoint judges; he should not say: A. is a handsome man, B. is a valiant man, C. is my relative, D. has lent me money, or E. knows many languages, I shall appoint him judge. It leads to injustice, he acquits the wicked and condemns the righteous, not from wickedness, but from ignorance. In *Midrash Tanna'im* on Deut. i. 17, p. 9, the same passage differs in two respects: F. is rich, I shall appoint him judge, אנלים מינם אושיבנו דיין; this is added, on the other hand איש פלוני הלוני ממון is missing. Hoffmann suggested the reading אלניסטים = knows Greek, and that הלוני ממון is a corruption of it. The emendation is not probable, since the knowledge of all foreign languages is already stated.

[2] *Synh.*, 7 b, *'Aboda zara*, 52 a, on Deut. xvi. 18–21.

[3] *Synh.*, 7 b, *jer. Bikkur.*, III, 3, 65 d, 14. Bank, in *Revue des Études Juives*, XXXVIII, 53, expressed the opinion that the Romans restored to the Jews of Palestine in the times of R. Jehuda II their autonomous justice, and that the patriarch appointed as the first judges unworthy men. Since the government supported the patriarch, there was no possibility for the scholars to prevail. This is hardly correct, for we have found the same complaints in the second century, and it will be seen at once that R. Jehuda I appointed judges at least fifty years before this time. See Grätz in his *Monatsschrift*, 1885, XXXIV, 441.

[4] In *jer. Jebam.*, XII, 13 a, 15, it is reported that the inhabitants of Simonia in Galilee requested Rabbi to send them a man דריש דיין וחזן ספר

same rights as the judges in Sepphoris, and their judgments did not have the same force as the decisions of those appointed by the government or by the community.[1] The material offered by the Talmudic literature does not expressly state upon whom the authorities used to confer the right of appointing Jewish judges before the times of the patriarch Jehuda II[2]; but we can feel certain that he was a Jew, because the rabbis would have only felt justified in attacking a Jew for appointing unworthy men for judges.

6. Before the year 136 the Galilean Jews knew little about Rabbinical law, for there were only few schools and a small number of scholars in Galilee. The political leaders, as was shown, were at the same time the judges, to the detriment of impartial justice. This state of affairs continued, even after the war of bar-Cochba had caused the transfer of the central school from Jamnia to 'Usha and rabbis had settled everywhere in Galilee. The nobles took no notice of the presence of the scholars and continued applying the rules and laws of their courts as

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מתניין ועבד לן כל צורכינן who could preach, judge, read prayers (?), teach children the Bible, teach Mishna and minister to all the religious needs of the congregation. In this passage 'judging' might perhaps be taken to apply to the decision of religious questions. But the parallel in *Genes. rab.*, lxxxi, 2, מקרא אותנו ושונה אותנו ודן את דיננו shows clearly that the reference is to the decisions of lawsuits. Origen's exaggerated account of the patriarch's power in his letter to Julius Africanus in defence of the authenticity of the story of Susanna (§ 14) does not prove that the patriarch possessed the power of nominating judges.

[1] Only if the parties to the lawsuit agreed to bring their cause before such judges, were these entitled to decide civil matters (*Codex Theodosianus*, II, 1, 10: ex consensu partium in civili dumtaxat negotio, in an edict by the emperors Arcadius and Honorius in the year 398, Schürer, III, 77, note 75).

[2] R. Banna'a in Sepphoris was denounced by people, whose claims he had dismissed, to the Roman authorities for having given judgment without hearing witnesses (*Baba bathra*, 58 a. b). He was put in prison, yet through his great cleverness he not only was released, but also appointed public judge. Although the whole report is full of legendary details, the main facts may be trustworthy and show that a judge of the synagogue or of the school could be called to account by the Roman authorities, although his appointment was not due to them.

heretofore. The rabbis, however, soon got into touch with the average man, won his confidence and were often approached by Jewish litigants to decide their cases.[1] They soon learnt of the anomalies prevailing in the Galilean Jewish courts, and started an energetic warfare against the procedure in them and against the utter ignoring of the later developments of Jewish law. They easily discovered serious mistakes and great injustice in the decisions of the Jewish judges. The frequent recurrence of judgments given in favour of the class of the nobles only enhanced the moral strength of their cause. A very characteristic incident shows a stage of transition in the struggle carried on in Sepphoris. Two men came before R. Josê b. Ḥalaftha with a cause and made the condition that he should judge them according to the law of the Torah.[2] R. Josê replied: 'I do not know the law of the Torah; may God who knows your intentions, punish you!' It seems that they refused to submit to the law of the rabbis and requested to be judged by biblical law, as though they were Sadducees. No doubt, the official judges in time took notice of the rabbis and their teachings and applied their laws more carefully and more judicially. Yet the constant denunciations by the scholars down to the end of the third century clearly show that they failed in bringing about an improvement of the system itself.[3] It was too deeply rooted not only in early usage, but also in the privileges of the hereditary nobility. And since the Roman government had a vital interest in protecting the wealthy for the maintenance of the state, the moral strength of the rabbis not being supported by equal wealth, proved too weak to displace the judges and the law of the nobility. They incurred the hatred of the leading classes of the community and won only the confidence of the lower sections of the population in Sepphoris.

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[1] See Chajes in *Revue des Études Juives*, XXXIX, 43 ff.

[2] *Jer. Synh.*, I, 1, 18 a, 37. R. Joḥanan in *Baba meṣi'a*, 30 b, said: Jerusalem was destroyed only because of judging according to the law of the Torah. This is explained in the Talmud to mean strict law, as opposed to equity. Cf. Moses Kunitz in בן יוחאי, VI, 80.

[3] There are a few passages denouncing judges for taking payments for their decisions: The judgments of him who takes payment for judging, are invalid (*Bekhor.*, IV, 6); differently in one of the Baraithas in *Kethub.*, 105 a: The judge who takes payment, is to be blamed, but his decision is valid. Whether this discussion was occasioned by the dealings of the Jewish judges, does not appear from these passages, but is very probable.

CHAPTER III

THE WEALTHY MEMBERS OF THE JEWISH COMMUNITY IN SEPPHORIS.

1. THERE are no reports preserved of the number of Jews living in Sepphoris in the second and third centuries, nor any references to the wealth possessed by the nobles with whose official position the preceding chapters have dealt. Only incidentally a passing reference is made to the riches of one or two inhabitants of Sepphoris; but this offers no safe basis for further inferences. It is reported that bar-Lufiani in Sepphoris gave away his daughter to a man in ‘Akkô. For this occasion he erected on the whole way from Sepphoris to ‘Akkô booths, in which wine was offered, and set up golden lamps on both sides of the road.[1] When the patriarch R. Jehuda I was honouring one Bonias for his wealth, R. Ishmael b. R. José of Sepphoris remarked that Bonias' father owned a thousand ships on the sea and as many villages on the land.[2] When this Bonias, son of Bonias,[3] came to visit the patriarch, the latter said: Make room for the man of 100 minas; then another man entered and the patriarch said: Make room for the man of 200

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[1] *'Esther rab.*, ii. 4, 3. Krauss in *Lehnwörter*, II, 311 b, identifies this לופייני with לויאנוס in *Ḥullin*, 87 a, who was one of the great men of the generation in Sepphoris (p. 8); (*Midrash ḥaGadôl* on Lev. xvii. 13, reads לִיָאנִים).

[2] *‘Erub.*, 86 a. The same exaggerated description of the wealth of the high priest Eleazar b. Ḥarsom in *Joma*, 35 b.

[3] For the different forms of the name see Rabbinowicz and Jehuda b. Barzilai in ספר העתים, p. 136.

minas. Bonias once sent to him a piece of linen which could be put into a nutshell.[1] This patriarch himself was a very rich man, possessed of fields and of many hundreds of cattle; his house steward was said to have been richer than Shabur the Persian king.[2] Apart from these few very wealthy people, the important citizens of Sepphoris consisted of landowners of smaller wealth.[3]

2. The wealthy were often asked by the administrators of charity to contribute to the support of the poor, and it may be assumed that, as a rule, they responded to the appeal. In connexion with such appeals we see them in intercourse with scholars in synagogues and schools,[4]

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[1] *Gittin*, 59 a. In *jer. Kil'ay.*, IX, 1, 32 a, 8, it is Hillel b. R. וולס who had a garment worth three hundred thousand denars and who gave it to R. Jehuda I. The latter found that it was made of wool mixed with linen and burnt it.

[2] *Sabb.*, 113 b. In *jer. 'Aboda zara*, II, 10, 42 a, 35, R. Ḥanina refers to the ships of the patriarch.

[3] The patriarch asked R. Ishmael b. R. José (*Sabb.*, 119 a) by what acts of merit the rich people of Palestine deserved their wealth, and R. Ishmael answered: By observing the law of tithes. This shows that wealth consisted in the first instance in fields. R. Simon b. Lakish of the third century, who first studied and taught in Sepphoris and later on in Tiberias, said in *Ḥullin*, 92 a: אומה זו כגפן נמשלה, זמורות שבה אלו בעלי בתים, אשכולות שבה אלו תלמידי חכמים, עלין שבה אלו עמי הארץ, קנוקנות שבה אלו ריקנים שבישראל, Our people is compared to the vine: the branches are its landowners (not Hausväter, as Bacher translates in *Paläst. Amoräer*, I, 371), the clusters are the scholars, the leaves the peasants, the thin branches are the empty ones in Israel. This division of the population of a country or a city is not based on the degree of learning or observance, but on wealth; therefore the ריקנים must have stood at the bottom of the ladder, as the בעלי בתים stood on the top. R. Simon b. Lakish uses the same word in *'Erub.*, 19 a, and parallels: אפילו ריקנים שבך מלאים מצות כרמון, Even the empty ones in thy midst are as full of religious deeds as the pomegranate. It is true that there he explains in another statement רקתך to mean פושעי ישראל, the empty ones in respect of religion, as others explain it in *Cant. rab.*, iv. 4, ריקן . . . צנועים . . . מצומתין, although in a favourable sense. But just as עם הארץ originally meant the farmer and then the uncultured, so ריקנים first meant the poor and then the lacking in religion; and so R. Jonathan b. Eleazar of Sepphoris in *Genes. rab.*, xxxii. 10, *Cant. rab.*, iv. 2, *Deut. rab.*, iii. 6, applies the word to his ass-driver who gave a clever answer to a mocking Samaritan.

[4] A rich man, a member of the family bar-Selenê, was present in the school of Tiberias when R. Ḥiyya b. 'Abba appealed for contributions to

since when appeals were required, they were from early times made in those public meeting-places, e.g. for redeeming captives, for marrying poor girls, especially orphans, and for exceptional help to a poor individual.[1] This was done, as a rule, on Sabbath, when all, rich and poor, came to synagogue; whereas on weekdays only few came and among these hardly the wealthy.[2] Only exceptionally, when urgent need required speedy help, did scholars appeal in their schools also on a weekday.[3] Of

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charity (*jer. Horay.*, III, 7, 48 a, 62). The foreign name and the mention of the family indicate a man of high standing, since some leaders of the community had foreign names, viz. Bonias b. Bonias in *'Erub.*, 85 b, bar-Levianus in *Ḥullin*, 87 a, bar-Lufiani in *'Esther rab.*, ii. 4, 3.

[1] *Tos. Baba bathra*, VIII, 14; *Tos. Theruma*, I, 10, prescribes concerning the rights of a guardian of orphans to use the property of his pupils: אין פודין להם שבויין ואין פוסקין עליהן צדקה בבית הכנסת דבר שאינו קצוב מן התורה, they are not allowed to spend money on redeeming captives, nor must they promise in the synagogue a contribution to charity on behalf of their pupils, these being amounts not fixed in the Torah. In *jer. Dammai*, III, 1, 23 b, 33, in a Baraitha (*Tos. Shebi'ith*, VII, 9 and *Pe'a*, IV, 16, with instructive variants): תני אחד שביעית ואחד מעשר שני אין נפרעין מהן מלוה וחוב ואין עושין מהן שושבינות ואין משלמין מהן תשלומין ואין פוסקין מהם צדקה לעניים בבית הכנסת אבל משלמין להן דבר של גמילות חסד, produce of the seventh year and of the second tithe must not be used amongst other things for charity promised in the synagogue. Of special interest is the prohibition in *Tos. Sabb.*, XVI, 22, וכן היה רבי שמעון בן אלעזר אומר אין פוסקין צדקה לעניים בבית הכנסת ואפילו להשיא יתום ויתומה ואין משדכין בין איש לאשתו ואין מתפללין על החולה בשבת ובית הלל מתירין, R. Simon b. Eleazar reports that the Shammaiites forbade to promise a contribution to charity in the synagogue on Sabbath, or even to enable an orphan to marry (see *Tos. Megilla*, III, 4). All this proves that contributions to charity were promised in the synagogue on Sabbath.

[2] The dealing with matters of charity on Sabbath in the synagogue in Galilee, either as the prevailing custom or as a rule to be introduced, was opposed in the second half of the second century as not befitting the Sabbath by R. Simon b. Eleazar in the name of the Shammaiites. And in Sepphoris the question was not yet settled even in the second half of the third century, since R. Eleazar b. Pedath in *Sabb.*, 150 a stated, as though it were a new question: It is permitted to promise a contribution to charity on Sabbath. R. Joḥanan said: All matters of rescuing life and of public weal may be discussed on Sabbath, and people may go to the synagogues to discuss public affairs on Sabbath. R. Jonathan b. Eleazar of Sepphoris in the first half of the third century even allows going on Sabbath to the theatre, the circus and the basilica to discuss public matters.

[3] A poor blind man came to the place where R. Eliezer b. Jacob lived

course, the amount promised on a Sabbath, probably even that promised on a weekday, was not paid on the spot; otherwise there would have arisen no occasion for complaint that people did not pay the charity promised in the synagogue.[1]

For we find a very strange complaint against the wealthy people of Sepphoris. R. Joḥanan said: Rain fails to come down on account of those who promise contributions to charity in public and do not pay them.[2] And in a similar way his colleague R. Joshua b. Levi denounces the same fault. It must have been an in-

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in the middle of the second century (*jer. Shekal.*, V, 6, 49 b, 27), and asked for assistance. R. Eliezer placed him in his school on a higher seat than his own, in order that the people should think him to be a scholar; and in fact a greater amount was provided on account of this (עבדן ליה פרנסה דאיקר). R. Ḥiyya b. 'Abba about the year 300 was appealing for promises of contributions in the school of Tiberias (*jer. Horay.*, III, 7, 48 a, 62); a member of the family bar-Selenê who was present, promised a litra of gold; for his liberality R. Ḥiyya honoured him by asking him to sit next to him, and applied to him Prov. xviii. 16: 'The man's gift makes room for him.' A Jew of Babylonia came to Tiberias and asked R. Berekhya for assistance (*Lev. rab.*, xxxii. 7); the rabbi told him to come next day when he would arrange for him a פסיקא in the congregation. The stranger came and found R. Berekhya preaching. At the end of the lecture the teacher said: Brethren, do charity to this man!

[1] Although F. Perles, in his criticism of Bousset's *Religion des Judentums*, p. 17, emphasized this point, Bousset still writes in the second edition of his work, p. 208, the following: 'There can be no doubt that it was a custom in the times of the New Testament to collect alms in the synagogue on Sabbath (Matt. vi. 2). Some have adduced against this the fact that already according to Philo (*Legatio ad Caium*, 23), the handling of money on the Sabbath was prohibited. But I cannot consider this objection cogent, see my essay, *Volksfrömmigkeit und Schriftgelehrsamkeit*, 30.' Bousset obviously had no knowledge of the general custom of merely promising contributions in the synagogue; this accounts for his persistence. Besides, the meaning of Matt. vi. 2 has not been properly understood, see my note in the *Journal of Theol. Studies*, 1909, X, 266 ff.

[2] *Ta'anith*, 8 b. In *jer. Ta'anith*, III, 4, 66 c, 29, *Kiddush.*, IV, 1, 65 b, 76, in a similar but anonymous statement, the same failing is put side by side with the greatest sins: rain fails to come down for four kinds of sins: for idolatry, unchastity, bloodshed and for not paying contributions promised in public. R. Joshua b. Levi refers Eccl. v. 1: 'Suffer not thy mouth to cause thy flesh to sin,' to the same class of people, (*Lev. rab.*, xvi. 5, *Kohel. rab.*, v. 5).

veterate sin and a part of the more comprehensive failure of the Galilean Jews to keep their vows, too often and too hastily uttered. For a Baraitha, remarkable for several details, levels the same reproach against an earlier generation.[1] It runs: 'For four reasons are the properties of landowners handed over to the Roman government: because they retain for a long time bonds which have been paid, because they lend money on interest, because they did not prevent things to prevent which they had the means, and because they promise contributions to charity in public and do not pay them. And for four reasons the properties of landowners pass to the Roman treasury: because they defer paying the wages to hired people, because they withhold their wages of hired people, because they remove the yoke from their own necks and shift it on to their fellow men, and for haughtiness; and this last sin is the heaviest of all.' Here the persons neglecting to pay their contributions to charity, promised in synagogues, are explicitly called landowners (בעלי בתים). As will be shown presently, those of the two great cities of Galilee, of Sepphoris and Tiberias, are meant in the first instance. The preachers of the synagogues, who had no means whatever to exact from them the money promised to charity, accounted, in the usual way of the prophets and the Agadists, for the confiscations of the property of the landowners by their failure to fulfil their promises.[2]

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[1] *Sukka*, 29 a.b, *Tos.*, II, 5: ובשביל ארבעה דברים נכסי בעלי בתים נמסרין למלכות, על משהי שטרות פרועים ועל מלוי ברבית ועל שהיה ספק בידם למחות ולא מיחו ועל שפוסקים צדקה ברבים ואינן נותנין. ובשביל ארבעה דברים נכסי בעלי בתים יוצאין לטמיון, על כובשי שכר שכיר ועל עושקי שכר שכיר ועל שפורקין עול מעל צואריהן ונותנין על חבריהן ועל גסות הרוח וגסות הרוח כנגד כולן. The editions of the Talmud give as author of the second series of sins, Rabh; but all the literary witnesses adduced by Rabbinowicz and in addition *Yalkut Mekhiri* on Ps. xxxvii, p. 114 b, § 16, contain no name whatever, but give the second part as a continuation of the Baraitha. In *Aboth R. Nathan*, 2nd version, XXXI, 34 a, the last sentence reads: ועל שפורקין עול מעליהם ונותנין העול והמס על העניים והאביונים האומללים, ועליהם הוא אומר ארור אשר לא יקים את דברי התורה הזאת, אלו בעלי בתים.

[1] This had not yet changed in the course of the third century; for

3. To exonerate partly at least the rich landowners of Sepphoris, we must point out the heavy burdens which the Roman system of taxes imposed upon them. They were one of the two sections of wealthy citizens who were held responsible by the Roman government in the second and third centuries for the full amount of the different public burdens.[1] These two classes were known in Palestine as the Boulé and Strategia (corresponding to the Curiae elsewhere in the Roman empire), and are mentioned incidentally in connexion with an extraordinary levy in Tiberias about the year 200.[2] Crown money was once imposed by the emperor upon the Boulé and the Strategia; and Rabbi decided that each section had to pay a half of the amount required. Such taxes had to be raised by the members of the constituted body of the wealthy citizens among themselves and among the people of some, though lesser, means. The taxes must have been very heavy, especially in the middle of the third century, when R. Johanan advised people to flee when nominated for the Boulé [3]; because it was intended

R. Eleazar b. Pedath of Sepphoris said (*Baba bathra*, 9 a): When the Temple stood, the Jew contributed his shekel to the Temple and was atoned for (through the sacrifices paid out of the shekels); now that the Temple does not stand, if people give alms, it is well, if not, the non-Jews come and take the money by force. Here the confiscations are still explained as punishments for not giving alms. An anonymous statement in *Lev. rab.*, xxxiv. 13, interprets Isa. lviii. 7, ועניים מרודים תביא בית, to refer to the landowners who had lost their honourable position and their property, because they had not supported the poor and not fulfilled God's will. Note that the landowners are men of high standing.

[1] See Seeck, *Geschichte des Untergangs der antiken Welt*, II, 182 ff., 186, Pauly-Wissowa *Realencyclopädie*, 2343 ff.

[2] *Baba bathra*, 143 a, report brought by R. Isaac b. Joseph from Palestine to the Babylonian schools; (the different forms of the two foreign words see in Rabbinowicz). In *jer. Joma*, I, 2, 39 a, 8, we find: The Boulé and the Strategia had a difference of opinion and brought the matter before Rabbi; he decided that the Boulé was not included in the Strategia. It is not quite clear what the point was; perhaps the crown money was imposed by the local government upon the Strategia and they claimed that the Boulé should participate in the burden, whereas the Boulé protested that the tax was not imposed upon them.

[3] *Jer. Moëd Katan*, II, 3, 81 b, 33: אמר רבי יוחנן אם הזכירוך לבולי יהא הירדן בעל

by the Romans not as an honour, but as the means to make its bearer undertake duties for the empire involving heavy costs.[1] It was the emperors Septimius Severus (193–211) and Caracalla (211–217) who bestowed upon the Jews the right and at the same time the duty of holding honorary offices, as far as their religious life was not interfered with.[2] The complaints of the Jewish scholars therefore belong to the third century.[3]

גבולך. אמר רבי יוחנן קבלין רשות להפטר מבולי, People get permission to be exempt from serving on the Boulé. Pauly-Wissowa, RE., 2347 ff. The Strategia denoted the whole body of the officials of the city.

[1] R. Joḥanan, in *Genes. rab.*, lxxvi. 6 says of the Roman rule that it casts an envious eye upon man's property and says: A. is rich, let us make him Archon, B. is rich, let us make him Bouleutes. Already Bacher (*Paläst. Amoräer*, I, 232, 2) remarks on this: 'It refers to the costly offices of the magistracy to which wealthy citizens were appointed by force.' In *jer. Ta'anith*, IV, 8, 69 a, 27, *Threni rab.*, ii. 2, the same procedure is attributed to the councillors of Jerusalem before the destruction, probably by R. Joḥanan himself; when a man came on pilgrimage to Jerusalem, they told him: We have heard that you would like to become Archon or Bouleutes.

[2] Ulpian, *De off. procons.*, III, 3; *Digesta*, XXVII, 1, 15, 6; L, 2, 3, 3.

[3] The date is important in connexion with what actually occurred to R. Eliezer b. Hyrkanos in *Tanḥuma*, B. (לך לך, 10). R. Eliezer b. Hyrkanos was the son of a פילוט and his father was charged with a duty by the government and with matters of האסטלטיוטין. Once the father moved to another place, and when he noticed that they (the government) had found him, he fled with all his servants, his household and his family on asses and camels. The foreign word פילוט is explained to be a shorter form of Politeuomenos = Decurio. The present wording of the story must belong to the third century at the earliest. When brothers lived on the undivided estate left to them by their deceased father, only one of them had to serve on the Boulé, and then the question arose whether the expenses incurred by the office should not be paid from the common estate. R. Naḥman b. Samuel b. Naḥman was caught by the Boulé (had to serve on it) after his father's death and R. 'Ammi decided (*jer. Baba bathra*, IX, 6, 17 a, 15), that, if he had private means, he had to defray all expenses involved from his own property; otherwise the common estate of all brothers should be burdened with the costs. The same rule prevailed already in the second century in case of another public burden (*Baba bathra*, IX, 4): If one of brothers living on the common inherited estate fell to אומנות of the government, the expenses have to be borne by all; cf. the Baraitha in *jer. Baba bathra*, IX, 6, 17 a, 13, b. 144 b, *Tos.*, X, 5: אחד מן האחין שמינהו גבאי או פולמוסטוס אם מחמת אחין לאחין אם מחמת עצמו לעצמו if one of the brothers was appointed tax collector or Polemostos (= Politeuomenos =

The Roman officials living among the Jews of Sepphoris, Tiberias and other towns of Galilee[1] soon found out the wealthy, and were unscrupulous in laying hold on them. People did their utmost not to betray their wealth, and the preachers cautioned their audience not to draw the attention of the Roman officials to other people's means.[2] Fines of every kind were imposed and sudden raids were made[3] on some pretext or other, and there was no way of escaping them; and all this was done

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Decurio), as one of the brothers, all of them have to contribute; if as an individual, he alone has to pay the expenses. In cases of this kind the patriarch R. Jehuda I had to decide when the burden should be divided among members of a family, *jer. Kethub.*, X, 5, 34 a, 14, הנהיג רבי בארנונא ובגולגולת ובאנפרות כהדא דבן ננס.

[1] The difference between the past and the present time as to the hardships of the Roman rule is very forcibly expressed by R. Simon b. Gamaliel in the middle of the second century (*Cant. rab.*, iii. 4): Our ancestors only smelled the hardships from the heathen powers and yet lost courage; we who have been swallowed in their bellies for many years and periods, how much more should we lose courage. The Romans were by now actually living on Jewish soil.

[2] An anonymous scholar explained Shema'ya's warning in *Aboth*, I, 10: Do not make thyself known to the ruling power (*Aboth R. Nathan*, XI, 23 b), or Hillel's sentence in *Aboth*, I, 13: He who increases his name, his name perishes (*Aboth R. Nathan*, XII, 28 b), by the following words: One's name should not be known to the government, else they cast an envious eye upon him and kill him and take away all his property. And XI, 24 a: One should not boast of his being the first or the second leader in the city, else his property is endangered.

[3] In *Lev. rab.*, xxxiv. 12 R. Simon b. Joḥai dreamt that his nephews would be ordered by the Roman government to give them 600 denars; (the reading quoted by Levy in *Neuhebr. Wörterbuch*, s. v. זמי that it happened to R. Joḥanan b. Zakkai, matters nothing as to the point at issue). R. Joshua b. Levi in *Lev. rab.*, xix. 6, picturing King Jehoiakim with the colours of a Roman emperor, said: He set up an official (?) who killed the wealthy landowners, violated their wives and confiscated their properties. The patriarch in Sepphoris asked R. Simon b. Lakish to pray for him that the Roman rulers should not take away all that they liked at his house (*Genes. rab.*, lxxviii. 12). R. Gamaliel b. R. Ḥanina in Sepphoris asked R. Mana the interpretation of Eccl. v. 12, 'riches kept for the owners thereof to their hurt,' and R. Mana replied: When the government imposes a fine upon a man, he may have to pay any amount (*Kohel. rab.*, v. 12; Bacher, *Paläst. Amor.*, III, 444). R. Ḥanina of Sepphoris in *Megilla*, 11 a, explains the name Ahasuerus to be derived from the fact that in the times of this king everybody was reduced to poverty by taxes.

in the form of strict justice.[1] Bribes were offered by the Jews and accepted by the officials without hesitation, but proved of no avail.[2] And when taxes, regular or extraordinary, were imposed, the representatives of the government were merciless in exacting them from the landowners[3]; and the members of the Boulé who were held responsible for the amount fixed, had to fear for their property and also for their lives. In order to lighten their own share, the wealthy landowners, when apportioning these burdens to each of the taxpayers, put more than a fair share on the less wealthy inhabitants and even on the poor, as the Baraitha quoted explicitly states and the parallel passage clearly extends their wrongdoing to the most wretched poor.[4] Nobody had the power to check the arbitrary allotting of the taxes, and whosoever had the courage to offer resistance was threatened with denunciation to the Roman authorities.[1] The preachers only had the courage to denounce these unjust dealings in the synagogues and openly called the wealthy 'men of the arm', i.e. of violence.[2] They tried to relieve by their strong words the burden of the poor, but succeeded only in incurring the hatred of the landowners and the other leaders of the community.

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[1] R. Simon b. Pazzi in *Genes. rab.*, lxv. 1 said: The Roman government robs, takes by violence and at the same time pretends to do justice. In *Pesiktha rab.*, xliv. 183 a, a man is tried by a Roman court and his property is confiscated.

[2] R. Joḥanan in *Pesaḥ.*, 118 b interpreted Ps. lxviii. 31 to be applicable to the Roman government: The beast of the reed (calamus) is Rome, that writes all its documents with the same pen; it stretches out its hand to take money, but does not fulfil the request of the giver (see *Midr. Cant.*, ed. Grünhut, p. 3 a).

[3] *Num. rab.*, xvii. 5, *Tanḥuma*, שלח 15, *Yelammdénu* to Num. xv. 37 (*'Arukh.*, s. v. אפך): משל לבעל הבית שהיה שוקל ארנוניות וכותב אפכיות, אמר לו אביו בני הוי זהיר באפכיות שחייך נתון בהן, This is like the case of a landowner who is weighing *annona* and writing receipts; his father tells him: Be careful with the receipts, for your life depends upon them (cf. Seeck in *Beiträge zur alten Geschichte*, I, 185). שוקל seems to be a technical term for delivering taxes; in *Mekhiltha*, 61 b, R. Joḥanan b. Zakkai said of the Jews of his times: You were not willing to pay (לשקול) a *beka* for each head, now you have to pay (שוקלים) fifteen shekels under the rule of your enemies. In *Tos. Dammai*, VI, 3: He who hires a field from a Samaritan, gives him his hire in kind after having separated the tithes ושוקל לאוצר שוקל לקיטרון מעשר ונותן לו, he pays the taxes in kind to the imperial stores, to the centurio, after having separated the tithes. VI, 4: A Jew must not ask a heathen or a Samaritan or any Jew who is not trustworthy as to tithes, to receive from him 200 Zûz and to pay the taxes for him (cf. *'Aboda zara*, 71 a).

[4] The Jewish authorities imposed public work even upon scholars, as can be derived from the very characteristic statement of R. Eleazar b. Pedath in *Nedar.*, 32 a: Why was our father Abraham punished and why were his descendants enslaved for 210 years? For he made scholars do *Angaria* (Gen. xiv. 14). Cf. Raba's statement in *Sota*, 10 a: King 'Asa

4. We find that the rabbis of the second century in several instances speak of robbers and violent men (הגזלנין והחמסנין). They disqualify them for judges and witnesses,[3] and institute special laws in order to guard the property of the weaker against their violence.[4]

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was punished for he had made scholars do Angaria; and the story about Eleazar b. Ḥarsom in *Joma*, 35 b.

[1] The wealthy landowners as pillars of the Roman system of taxes had naturally access to the high officials and sometimes availed themselves of this privilege to the detriment of the other people. Thus *Tos. Baba meṣiʿa*, XI, 23 says: The members of the town may decide that whoever is seen at A.'s house or at the government, shall be fined a certain sum.

[2] In a Baraitha, *jer. Nedar.*, III, 4, 38 a, 37, *Tos.* II, 7: One should not, for the purpose of rescuing goods from the hands of unscrupulous, violent people (i. e. tax farmers), say that the goods belonged to Jews of high standing, for בעלי זרוע are apt to fall and (the Talmud adds) perchance drag others with them, and the duties saved by attributing the ownership of the goods to them would be collected from the deceiver. R. Pinḥas b. Ja'ir in *Sota*, 49 a complained: Since the destruction of the Temple בושו חברים ובני חורים וחפו ראשם ונדלדלו אנשי מעשה וגברו בעלי זרוע ובעלי לשון, the scholars and nobles are put to shame and cover their heads, the men of (pious) deeds have gone down and the people of the arm and of the tongue prevail. In *Aboth R. Nathan*, 2nd version, XXXV, 43 a, *Derekh'ereṣ*, II: Those who terrify others and the presumptuous, the insolent and the violent (בעלי זרוע) will be crushed. In *Genes. rab.*, xiii. 9, R. Samuel b. Naḥman of Tiberias said: For four reasons God decided that the earth should get water only from above: . . . on account of the violent men (who would, if they could, withhold the water from the weaker). R. Eleazar b. Pedath in *Synh.*, 58 b said: Fields are given only to the men of the arm. It implies that only such could hold them safely; the landowners using their power, not against the Romans, but against the weaker of their own nation.

[3] *Synh.*, 25 b, *Mekhiltha* on Exod. xxiii. 1, p. 98 b.

[4] *Gittin*, 49 b. It is especially R. Simon b. Joḥai who deals with them. 'Alfasi and 'Asheri read here R. Simon b. Eleazar; in *Tos. Kethub.*, XII, 2, and *jer. Gittin*, V, 1, 46 c, 38, the statement is anonymous.

Nothing was safe from them and they intruded even into the privacy of the family, as a very characteristic statement of R. Meir implies: God has given to each individual a different face and voice and different thoughts in order to protect his wife and his property from violent men and from robbers.[1] An anonymous Baraitha says: Why was only one man created first and not two? Because of the violent men and the robbers (*Tos. Synh.*, VIII, 4). Who these men were can be gathered from the power attributed to them in the passages quoted; but also from the fact that robbers of this kind are mentioned together with moneylenders,[2] which proves them to have been wealthy people.[3] R. Simon b. Rabbi in the beginning of the third century in Sepphoris once preached about the robbers and explained that the reward for abstaining from robbery extends over several generations.[4] This exaggeration clearly shows that the vice was frequently practised, and the prospects of great reward were considered by the preacher to be an inducement for those concerned to give up the practice.

What the Rabbis denounced in Sepphoris as violence (חמס) can be inferred from their comments on the violence of the generation of the flood. R. Ḥanina said[5]: 'The earth was full of violence' (Gen. vi. 13) means, they committed no real robbery, but were guilty of cunning illegal appropriation of other people's property in small quantities, which could not be qualified as robbery and therefore not be punished by the courts. This full description of imaginary dealings indicates that R. Ḥanina thereby fought against similar abuses in Sepphoris. His colleague R. Joḥanan dealt with the same points with very great emphasis. He said: Come and see how heavy a sin violence is; although the generation of the flood had committed all kinds of sins, the sentence was passed on them only after they had stretched out their hands after robbery (*Synh.*, 108 a). When God punishes, he punishes in the first instance for the violent appropriation of other people's property. Imagine a vessel full of sin, robbery in it is the one which causes the accusation.[1] The prophet Ezekiel enumerated 24 sins, but he selected robbery to conclude therewith his strictures.[2] And the same point is emphasized by R. Simon b. Joḥai of the middle of the second century. He blamed the robbers and the violent men in several of his sayings, as shown above, and in another statement of his: How particular the Torah was as to robbery, can be gauged from the fact that Deut. xxiii. 26 found it necessary to condemn people for 'moving the sickle'; for the generation of the flood perished only on account of robbery.[1] And he makes God say: My children should learn from me to refrain from robbery (*Sukka*, 30 a). It was naturally only the weak and poorer class that suffered from the dishonest dealings of the wealthy; they were powerless when confronted with the selfishness of the powerful and had to refrain from reproaches or complaints. And again the rabbis stepped in, fearlessly denouncing the moral sin of dishonesty coupled with violence and abuse of power, and exposing themselves to the hatred of the ruling class in Sepphoris.

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[1] *Tos. Synh.*, VIII, 6, b. 38a, *jer.*, IV, 13, 22 b, 74, see Bacher, *Tannaiten*, II, 14 ff.

[2] *Baba Kamma*, 94 b. R. Simon b. Joḥai in *Mekiltha R. Simon*, p. 152, 26 said: Lovers of money like each other, robbers, violent men and those who lend money on interest like each other.

[3] R. Isaac of Tiberias about the year 300 said (*Pesiktha*, 95 b, *Tanḥ.*, ראה, 10, B. 6, *Exod. rab.*, xxxi. 11): the envious man in Prov. xxviii. 22 is he who does not lend money without interest; poverty will come upon him. He who increases his wealth by interest, collects it for him who favours the poor (v. 8). This refers to the Roman government whose Epitropoi go out to the country and rob the farmers, and on their return to the city assemble the poor and distribute alms derived from robbery. Cf. *Lev. rab.*, iii. 1.

[4] *Sifrê Deut.*, 286, p. 125 a, *Makkoth*, III, 15: If man is rewarded for abstaining from eating blood, which he loathes, how much more will abstaining from robbery and unchastity, for which he has a desire, bring him a reward for many generations.

[5] *Genes. rab.*, xxxi. 5, *jer. Baba meṣi'a*, IV, 2, 9 c, 60.

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[1] *Lev. rab.*, xxxiii. 3, *Kohel. rab.*, i. 13.

[2] It is noteworthy that in the last two passages dishonest gain is interpreted as robbery. In *Baba Kamma*, 119 a, *Lev. rab.*, xxii. 6, R. Joḥanan said: He who deprives a man by violence only of one farthing, will be punished as though he had taken his life. R. 'Abahu in *Baba meṣi'a*, 59 a said: There are three sins before which God's curtain never closes: cheating, robbery and idolatry. Here the extraordinary emphasis shows that he had to fight sins prevalent in some sections of the population of Caesarea or Tiberias. R. 'Ammi of Tiberias in *Ta'anith*, 7 b, said: Rain is withheld by God only for the sin of robbery. R. 'Abba b. Kahana in *Midrash Samuel*, xiv. 9, said: The sin of robbery is a very heavy one, since two great men, Moses and Samuel, found it necessary in their self-justification to declare themselves free from it. Cf. the anonymous statement in *Lev. rab.*, iii. 1: Better is he who works and gives alms, than he who robs and uses violence and gives alms from them. *Ḥullin*, 91 a.

5. But a much more serious charge was brought by the scholars against the same people,[2] viz. immoral life. It was mainly the population of Sepphoris which was censured on account of their unchastity. When once a plague killed many people in Sepphoris and the Jewish inhabitants complained about it to R. Ḥanina, he explained to them that the pestilence was due to their sins, there being in their midst many Zimris.[3] That he referred to their immorality, may be concluded from another statement of his about a pestilence: Once in 60 or 70 years God sends a plague which carries off from Israel all bastards; but along with them also some blameless persons, in order that the disgrace of the bastards should not be revealed.[4] R. Simlai, a disciple of R. Ḥanina, perhaps with reference to the same pestilence in Sepphoris, said: Where there is immorality, a plague comes upon people, carrying off good and bad.[5] That such was the moral state of Sepphoris, is confirmed by earlier reports concerning some changes introduced by R. Josê b. Ḥalaftha when settling shortly after the

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[1] *Jer. Ma'aser sheni*, II, 6, 50 a, 23.

[2] See R. Meir's statement, p. 44, that God gives to each individual a different face and voice and different thoughts, in order to protect his wife and his property from violent people and robbers.

[3] *Jer. Ta'anith*, III, 4, 66 c, 45, Num. xxv. 6, 14.

[4] *Jer. Jebam.*, VIII, 3, 9 c, 64. Cf. *Lev. rab.*, xxxii. 7.

[5] *Jer. Sota*, I, 5, 17 a, 11, *Genes. rab.*, xxvi. 5, *Lev. rab.*, xxiii. 9.

year 135 in Sepphoris as a rabbi.[1] His colleague R. Simon b. Gamaliel, who for a time at least lived in Sepphoris, states that (even the observant) Jews observe only unwillingly such commandments as they have once accepted under protest; for instance, the laws of chastity (*Sabb.*, 130 a). Several scholars of Sepphoris, all belonging to the school of R. Jehuda I about the year 200, discuss the importance of the prohibition of lewdness. R. Ishmael b. R. Josê said: When the Israelites indulge in lewdness, God's presence leaves them.[2] Bar-Kappara said: God forgives everything except lewdness.[3] In a sermon dealing with several weak points of his generation he declared: Four merits made Israel in Egypt worthy of redemption: they had not changed their names or their language, they were not informers or lewd.[4] An anonymous Baraitha says: God praises every day in a loud voice the single man who, in spite of his living in a city, is not lewd.[5] R. Simon b. Rabbi explained in a sermon that abstaining from robbery and lewdness will be rewarded for many generations.[1] Several sayings indicate that the rabbis had to fight even adultery.[2]

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[1] In *Synh.*, 19 a, Rami b. 'Abba reported: Owing to an occurrence, R. Josê instituted in Sepphoris that no woman should allow her son to walk behind her in the street, but in front of her, and that women should talk to each other when in a privy, in order that no man should enter it. The occurrence is described by Rashi, no doubt, from an early source: scoundrels had kidnapped a boy walking behind his mother and taken him to a house. When the mother, not seeing her child, cried, a man offered to show her the house, she entered it and the scoundrels defiled her. In *jer. Berakh.*, III, 4, 6 c, 54, a personal experience of R. Josê gives evidence of cases of adultery in the lower sections of the population. In *Kethub.*, I, 10, R. Josê reported that a girl was violated when descending to the well to draw water. That this happened in Sepphoris, is expressly stated by Rabh in *Kethub.*, 15 a, *jer.* I, 10, 25 d, 37.

[2] *Aboth R. Nathan*, XXXVIII, 58 a, *Num. rab.*, vii. 9; *Sifrê Deut.*, 254, 258.

[3] *Tanḥ.*, וירא, B. 14; *Genes. rab.*, xxvi. 5.

[4] *Pesiktha*, 83 b; *Lev. rab.*, xxxii. 5; *Cant. rab.*, iv. 12; *Mekhiltha*, p. 5 a. In the case of the last *Mekhiltha* reads: They were not suspicious of lewdness. In *Baba meṣi'a*, 85 a, Rabbi inquired about a son of R. Eleazar b. R. Simon and a grandson of R. Tarfon and learnt that they lived an immoral life (cf. *Pesiktha*, 97 a). R. Eleazar b. R. Simon in his capacity of a Roman official had an insolent Jew put in prison (*Baba meṣi'a*, 83 b). When he felt pangs of conscience over it, people told him that he should not worry, as the man הוא ובנו בעלו נערה מאורסה ביום הכפורים.

[5] In *Pesaḥ.*, 113 a, according to Rabbinowicz, a Baraitha; in our editions

6. None of all these references points conclusively to the higher classes in Sepphoris and it may be that they concern the lower strata of the population only; although bar-Kappara's reproaches concerning the changes of names and language tend to prove that the censure for lewdness in the same sentence aims at the wealthy and not at the poor. And in this connexion it must be pointed out that the non-Jewish population of Sepphoris exhibited instances of extreme licentiousness and incest.[3] And their low state of morality hardly tended to raise the standard of Jewish life in those sections

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attributed to R. Joḥanan, in *Aboth R. Nathan*, 2nd version, XXXV, 39 b, to R. Re'uben b. 'Istrobulos.

[1] *Sifrê Deut.*, 286, p. 125 a; *Makkoth*, III, 15.

[2] R. Simon b. Menasya in *Ḥagiga*, I, 7, b. 9 b; *Kohel. rab.*, i. 15, 2, interpreting Eccl. i. 15 said: 'The crooked that cannot be made straight' applies to a man who had incestuous intercourse with a woman from which a child proceeded. R. Joshua b. Levi in the name of the men of Jerusalem quoted the warning (*Pesaḥ.*, 113 a): Be not too often on the roofs considering what happened there; when thy daughter is mature, free thy slave and give her to him, and guard thy wife against her first son-in-law. The men of Jerusalem were very probably members of a union in Sepphoris identical with the Holy Congregation (see my *Priester und Cultus*, p. 40). R. Ḥanina said (*Baba meṣiʻa*, 58 b): for three sins people go down to hell and cannot ascend from it: for adultery, for putting to shame a man in public and for using offensive names. Rabh who lived for many years in Sepphoris, said (*Sota*, 4 b): He who commits adultery will not escape hell, even if he has the merits of Abraham; (but see Rashi's reading and Rabbinowicz).

[3] R. Ishmael b. R. Josê was asked by a non-Jew (*Berakh.*, 56 b, *jer. Maʻaser sheni*, IV, 9, 55 b, 58, *Threni rab.*, i. 1, 14) to interpret a dream and he saw in it בא על אמו . . בא על אחותו . . בא על אשת ישראל . . בא על נערה המאורסה . . . אשתך ונחה מאנשים הרבה incest and adultery. R. Eliezer the son of R. Josê the Galilean in *Tos. Sota*, VI, 6, says, Abraham's son, Ishmael, מכבש את הגנות ומענה את הנשים, took possession of the roofs and defiled women, and thus applies to a biblical person his observations of the lives of some non-Jews in Galilee. In the same way R. Joḥanan (*Baba bathra*, 16 b, and parallels) says of Esau, the representative of Rome and of the violent, merciless non-Jews, that he violated a betrothed girl. An actual case of the lowest

of the population to which our material refers.[1] Up to the year 136 there was hardly anybody in Sepphoris who would care to give his attention to the task of raising the low morality of the average man. There were indeed very few teachers at all in Galilee before 135; and even as to these it is not reported that they attended to this matter, nor is any statement of theirs preserved from which it might be concluded that they did so. Only after the year 136, when R. Josê b. Ḥalaftha returned from the school in Jamnia to his home in Sepphoris and a school was founded there, did the state of morality force itself upon the attention of R. Josê and his colleagues. They had to do their utmost to protect the schools from the poison; and we may assume that, by constantly censuring immorality and praising a pure life, they succeeded in many cases in educating the moral sense. But their unceasing fight contributed little towards their winning the sympathy and friendship of the influential and wealthy people of Sepphoris.

bestiality and human depravity is reported by R. Ḥanina in *'Aboda zara*, 22 b; see also *jer. Synh.*, VI, 6, 23 b, 75.

[1] R. Ḥanina, in *Synh.*, 58 b, explained that the laws of chastity of married life, especially the prohibition of adultery, are binding also on the non-Jew. The object of the statement is to impress upon the Jew the fact that even their non-Jewish neighbours will be punished for lewdness, how much more the Jews.

CHAPTER IV

THE POPULATION OF SEPPHORIS AND THE SCHOLARS.

1. The accusations brought against the leaders and the wealthy people of Sepphoris by scholars were, naturally, not left without answer. Not that they were simply denied, this was probably quite impossible; but they were, as far as the circumstances allowed, turned upon the scholars. First, all doings of the rabbis were criticized,[1] and they were suspected of the same vices of which they accused others, viz. of immorality and dishonesty. This is implied by a statement of 'Isi b. Jehuda of the second century in Galilee who said: Why do scholars die young? Not for adultery, nor for robbery, but because they do not regard themselves, or (according to the parallel) because they interrupt the study of the Torah and occupy themselves with talk.[2] That the same aspersions were made in Sepphoris also, follows with great probability from complaints attributed by R. Jonathan b. Eleazar to Moses in an Agadic interpretation of Numb. xvi. 4: 'When Moses heard it, he fell upon his

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[1] In *Sifrê Deut.*, xii, an anonymous Tanna puts into the mouths of Moses' contemporaries, whom he calls epicureans, disparaging utterances about Moses; and no doubt only pictures his own times. He says: When Moses left his tent earlier than usual, the Israelites said: Why does 'Amram's son come out earlier? Perhaps he feels uneasy at home. If Moses came out later than usual, they said: Why does 'Amram's son come out later? You know, he is planning all kinds of plans against you; he would be much worse, if he were of 'On's family, because then his wife would advise him. This characterizes them as epicureans.

[2] *Aboth R. Nathan*, XXIX, 44 b. In XXVI, 41 b, in a sentence introduced by הוא היה אומר, and thus, obviously without any foundation, ascribed to R. 'Akiba.

face,' for he heard himself suspected of adultery.[1] And R. Eleazar b. Pedath reads into Jer. xviii. 22, 'they have dug a pit to catch me,' the complaints of the prophet that he was suspected of adultery.[2] The interpretation was in neither case suggested by the wording of the verses, since in the second instance there is not even the ambiguity of expression as in Ps. cvi. 16 a about Moses. It was suggested by actual charges against scholars by people of Sepphoris and of Galilee in general.

There may have been some younger scholars who, forgetting for a moment their position and their moral obligations, yielded to their sensual passions, as is implied by the warning of the school of R. Ishmael.[3] A member of this said: When you see a scholar committing a sin at night, do not think badly of him next day, as he may have repented in the meantime. But it is necessary and only fair to add that such students were rare exceptions.[4] There were temptations lurking on all sides, especially from non-Jewish women of high standing,[5] and an anonymous Baraitha praises those who prevail over temptations.[6] The same school of R. Ishmael recommended to the scholars continuous study of the Torah as remedy for lust.[7] To satisfy sensuous desires, was considered a desecration of God's name, as R. Ḥanina of Sepphoris said with reference to immorality:[8] It is better to commit a sin in secret than desecrate the name of God in public. The school of R. Jannai taught[9] that desecration of God's name is caused by a scholar who is ill reputed, so that his fellow students have to be ashamed of him. And a prayer recommended by the same school for the morning after awakening[1] refers to the same kind of scholars. It runs: Give us a humble mind and a humble spirit; may thy name not become desecrated by us and make us not the talk of all. On account of such occurrences of immorality R. Ḥanina taught[2]: 'The fear of God is pure' (Ps. xix. 10) refers to one who studies the Torah in purity, having married first and studying afterwards. And his colleague in Sepphoris, R. Jonathan b. Eleazar, explained the pure offering of Mal. i. 11 in the same sense.[3] In order to remove every occasion for suspicion of immorality, a teacher in an anonymous Baraitha[4] strongly advised the students, among other rules of conduct, to refrain from several minor points in everyday life. He said: Six things are considered a disgrace in the case of a scholar: he should not go in the street perfumed, nor go out alone at night, nor go out in patched shoes, nor speak in the street to a woman,[5] nor take part in the meal of an 'Amha'areṣ and not come last to the school; some added: not walk with an erect stature. Such precautions were necessary, because if a case of immoral conduct of a scholar became known, the people of Sepphoris were eager to spread the news and to generalize as to the character of the scholars.

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[1] *Synh.*, 110 a.

[2] *Baba Kamma*, 16 b.

[3] *Berakh.*, 19 a, *Midrash Psalm*, cxxv. 5.

[4] See the case of the rich scholar in *Sifrê Num.*, 115, end, *Menaḥ.*, 44 a.

[5] *Kiddush.*, 39 b, 40 a.

[6] *Kiddush.*, 40 a: He who meets with immorality and saves himself from it, will be vouchsafed a miracle.

[7] *Sukka*, 52 b, *Kiddush.*, 30 b, in a Baraitha: My son, if that ugly man (evil spirit) should meet you, drag him to the school; if he is of stone, he will melt, if he is of iron, he will split into pieces.

[8] *Kiddush.*, 40 a.

[9] *Joma*, 86 a, see Rabbinowicz.

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[1] *Jer. Berakh.*, IV, 2, 7 d, 52.

[2] *Joma*, 72 b.

[3] *Menaḥ.*, 110 a. Cf. *Tosafoth* to *Kiddush.*, 29 b. The school of R. Ishmael, probably mainly with reference to scholars, taught (*Kiddush.*, 29 b): To remain unmarried is allowed only till twenty years of age; he who does not marry then, provokes God's anger. In *Aboth*, V, 21, the age of eighteen years is fixed as the age of marriage for scholars. R. Jehuda b. 'Il'ai in *Tos. Bekhor.*, VI, 10, *Kiddush.*, 29 b, said: The duty to study the Torah precedes that of taking a wife; but if a man cannot live unmarried, let him first marry and study afterwards.

[4] *Berakh.*, 43 b. Several of these points are emphasized by R. Joḥanan in *Sabb.*, 114 a, and by R. 'Abahu in *Ḥullin*, 91 a.b.

[5] For the same reason a Baraitha in '*Erub.*, 18 b, enjoins that a scholar should not walk behind a woman in the street, not even if she is his wife; if one meets a woman on a bridge, he should let her pass on the side; one who crosses a river behind a woman will have no share in the world to come. Another Baraitha there says: He who counts money into the hand of a woman, or receives from her money in the same way in order to behold her, will not escape hell, even if he were like our teacher Moses who received the Torah on Sinai.

2. The attitude of the Jewish population of Sepphoris towards the scholars betrayed itself on a very sad occasion.[1] There was once about the middle of the third century a pestilence in this city which caused a great loss of life, but did not invade the street where R. Ḥanina lived. The people of Sepphoris said: What is the matter with this scholar? Although he lives among us, he and his neighbourhood are well, whilst the town is suffering. R. Ḥanina came out and addressed them: One single Zimri lived in his generation and yet he caused the death of twenty thousand people; how many Zimris are there in our generation and yet you complain? R. Ḥanina was a native of Sepphoris and, being probably one of the very few scholars born here, was already in the times of the patriarch R. Jehuda I called the man of Sepphoris by his own people.[2] There could therefore be no suspicion of strained personal relations between the Jewish population and R. Ḥanina, and the tone which they adopted towards him clearly shows their general feeling towards the scholars. The same is shown by another incident reported in the same place where they implied that the rabbi was either an egotist in protecting only himself against the plague, or incapable of obtaining mercy for his city by his prayer. Once a drought prevailed and a fast for rain was necessitated; R. Ḥanina ordered a public fast (and prayed), but rain failed to come down. R. Joshua b. Levi's fast in the Darom was successful. Hearing of this the people of Sepphoris said: R. Joshua b. Levi brings rain to the men of the Darom, but R. Ḥanina keeps it off the men of Sepphoris. When

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[1] *Jer. Ta'anith*, III, 4, 66 c, 45, see p. 46.

[2] He was refused ordination by this patriarch (according to R. Derosa) because the people of the city cried out against him in Sepphoris (*jer. Ta'anith*, IV, 2, 68 a, 29).

another occasion arose for a public fast, the people of Sepphoris invited R. Joshua b. Levi to pray for them; but he asked R. Ḥanina to join him. When even the joint prayers of both scholars proved of no avail, R. Joshua stepped forth and said to the assembly: 'It is not R. Joshua who brought down rain to the people of the Darom, nor has R. Ḥanina kept off the rain from the people of Sepphoris; but the hearts of the men of the Darom are tender and, on hearing words of the Torah,[1] they humiliate themselves, whereas the hearts of the men of Sepphoris are hard and, on hearing the words of the Torah, they do not humiliate themselves.' It was only in times of distress that they thought of the rabbi in their midst, expecting him to relieve them from their troubles; and if he disappointed them in their hopes, they abused him.

They were not concerned at or grieved by the death of a scholar and had no tears for him, as can be seen from some observations of teachers of Sepphoris. Bar-Kappara said: God counts and accumulates in his stores the tears of him who sheds them for a pious man. And an anonymous Baraitha said: Why do the sons and daughters of some die young? In order that they should weep and mourn for a righteous man (who dies at the same time); whoever weeps for a righteous man will be forgiven all his sins on account of the honour which he has paid. R. Joḥanan said: All who show neglect at the mourning for a scholar do not live long.[1] R. Joshua b. Levi in a sermon emphasized the same duty.[2] He said: We do not find elsewhere in the Bible the name Har-Ga'ash where, according to Joshua xxiv. 30, Joshua was buried. The name indicates that the Israelites proved neglectful in paying due honour to the deceased leader; every one was engaged in his work and had no time for taking part in Joshua's funeral. Therefore God decided to shake the earth over its inhabitants. When Samuel died, the whole of Israel gathered together to mourn for him (1 Sam. xxv. 1) in accordance with the proverb: He who was bitten by a serpent, is afraid even of a rope. This forcible bit of imaginative Agada proves that the Jews of Galilee, and especially those of Sepphoris, had no respect for the scholars in their midst. An anonymous Baraitha[3] indicates a case of neglect in paying due honour even to a leading member of the central Bêth-din in Galilee at his funeral; and an eclipse of the sun coinciding with this occurrence is accounted for by the lack of esteem for the great man. And even if the Jews came to join in the funeral of a scholar, they always found something for which to blame the deceased; for R. Joshua b. Levi said:[4] Whoever speaks evil behind the bier of a scholar will fall into hell. What they were saying of the teachers is not mentioned, but will be suggested by some passages to be quoted later on.

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[1] It means words of reprimand based on interpretation of the Bible, such as we find in *Ta'anith*, II, in both Talmuds. They are here not reproached with having no sense for the sometimes very imaginative and bold Agadas of the preachers; this would have been quite pardonable. In *Pesiktha*, 136 b, we find that R. Joḥanan once preached in the great synagogue of Sepphoris that God will once make the Eastern gate of the Temple and its two side doors of one pearl. There happened to be present מינוי פרוץ or אפיקורוס who interposed that the words of the rabbi contained an impossibility, since there were no pearls even of the size of a turtle-dove's egg. This sceptic once travelled by boat and, on being shipwrecked, was shown in a miraculous way, in the depth of the sea, a pearl of that size prepared by the angels for the gate of the Temple. When he again attended R. Joḥanan's lecture and the preacher repeated his former statement, the sceptic said the characteristic words: Rabbi, you may now talk as much as you like and glorify as much as you can; if my eyes had not seen it, I would not have believed it. (In *Baba bathra*, 75 a, in the same story, it is told of a disciple of R. Joḥanan.) In *Seder 'Olam*, III, the Baraitha in *Rosh haShana*, 17 a, *Tos. Synh.*, XIII, 5, on apostates and traitors is enlarged by the addition, among other persons, of those who scorn the words of the scholars; cf. Ratner's edition, p. 9 a, note 40.

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[1] *Sabb.*, 105 b.

[2] *Midrash Samuel*, xxiii, § 7.

[3] *Sukka*, 29 a: On account of four things the sun is smitten (eclipsed), on account of an 'Abh-bêth-din not being duly mourned for, &c. Grätz in his *Monatsschrift*, 1884, XXXIII, 542, suggests that it refers to R. Jehuda b. Babha, the martyr.

[4] *Berakh.*, 19 a.

3. These people not only slighted, but also felt contempt and even hatred for the scholars; and again it is in the first instance Sepphoris where the rabbis were treated in that way, as an utterance of R. Ḥanina and Rabh proves. They define an epicurean as one who contemns a scholar.[1] A private prayer said every morning by R. Eleazar b. Pedath of Sepphoris[2] reflects the feeling prevailing in this place between the Jewish population and the scholars. It runs: 'May it be thy will, O Lord, my God and God of my fathers, that hatred against us may not enter anybody's heart, nor hatred against anybody our hearts, and that envy of us may not enter anybody's heart, nor envy of others our hearts, and that thy Torah may be our occupation through all our lives, and that our words may be prayers before thee.' And a contemporary of R. Eleazar in Sepphoris, R. Isaac b. Marion,[3] said: He who is insolent to scholars and to great men of the generation, is like him who is insolent to a king (2 Sam. xx. 21). This statement can be fully understood only as the reflection of not unfrequent occurrences which the rabbis denounced in their sermons, since they had no other means to meet them. It must have been soon after the settling of the schools in Galilee that the teachers experienced such treatment; for we find that the great assembly of scholars in 'Usha discussed and adopted a law as to the fine of one who offends a scholar and strikes him.[4]

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[1] *Synh.*, 99 b: אפיקורוס רב ורבי חנינא אמרי הרויהו זה המבזה תלמיד חכם. רבי יוחנן ורבי יהושע בן לוי אמרי זה המבזה חברו בפני תלמיד חכם. In *jer. Synh.*, X, 1, 27 d, 65, R. Joḥanan and R. Eleazar, both disciples of R. Ḥanina, discuss the same point; one says, an epicurean is he who says: look at this teacher; according to the other, it is he who says: look at these scholars. The expression implies contempt.

[2] *Jer. Berakh.*, IV, 2, 7 d, 43.

[3] *Kohel. rab.*, ix. 18, § 2.

[4] *Jer. Kethub.*, IV, 8, 28 d, 60, *Baba kamma*, VIII, 8, 6 c, 13: R. Simon b. Lakish in the name of R. Jehuda b. Ḥanina said: It was decided by taking votes that he who offends a scholar (זקן) and strikes him, should pay him as fine the full amount for having put him to shame. Once a man offended a scholar and struck him and had by the judgment

Also R. Meir, a leading scholar of the Bêth-din of 'Usha, had, when temporarily staying in Sepphoris, to experience the slighting criticism of the people. The reason for it is nowhere suggested[1]; only the defence of R. Meir by R. Josê b. Ḥalaftha of Sepphoris that he was a great, saint and chaste man, implies serious allegations or suspicions advanced against him and his character. Also R. Josê's other statement[2] that those who hate the scholars and their disciples, the false prophets and the calumniators will have no share in the world to come, indicates very strong feelings against the teachers of his town. And an anonymous saying of the second century[3] reads freely into the wording of the Bible experiences of the time of the author, and derives from the sequence of verses the principle: he who does not learn (the Torah) or practise it and despises others (who do so), will in the end hate the scholars. It also seems very probable that the urgent warnings by rabbis of the second century in Galilee concerning unfounded hatred mean the hatred against scholars.[4]

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of R. Simon b. Lakish to pay the full amount; it is reported that it was R. Jehuda b. Ḥanina (see Bacher, *Pal. Amor.*, I, 420, 3, who suggests R. Josê b. Ḥanina). Such experiences probably account for R. Ḥanina's insisting that everybody should stand up before him when passing, *jer. Bikkur.*, III, 3, 65 c, 64.

[1] For the offence which he gave by once greeting mourners on a Sabbath against the rule prevailing in Sepphoris, can hardly have been more than the occasion for criticizing, *jer. Berakh.*, II, 7, 5 b, 56, *Genes. rab.*, c. 7.

[2] *Derekh 'ereṣ*, XI.

[3] In *Sifra*, p. 111 b, II, 3, on Lev. xxvi. 14, 15.

[4] For instance, R. Neḥemia's sentence in *Sabb.*, 32 b, in the Baraitha: For the sin of unfounded hatred, quarrel prevails in a man's house, his wife miscarries and his sons and daughters die very young. Or the anonymous Baraitha in *Sabb.*, 33 a: There are four kinds of indications: dropsy shows immorality; jaundice indicates gratuitous hatred; poverty, haughtiness; croup, calumny. And in *Joma*, 9 b, about the reasons of the destruction of Jerusalem: it was destroyed because gratuitous hatred was to be found in it. Hence one can learn that gratuitous hatred is the greatest sin. In *Aboth R. Nathan*, XVI, 32 b, an anonymous warning addressed to scholars and non-scholars alike similarly shows the mutual hatred of both sections: We should not say, love the scholars and hate the disciples, love the disciples and hate the ignorant

4. The people of Sepphoris who exhibited contempt and hatred of the scholars, were undoubtedly the unlearned, the same whom the rabbis of Galilee called 'Amha'areṣ. Of these an anonymous Baraitha of the second century expressly states[1] that they hate the scholars more than the non-Jews hate the Jews, and that their wives' hatred is even greater than theirs. Naturally the rabbis reciprocated the feeling; but it found expression only in burlesque exaggerations addressed to scholars, which betrayed their incapacity of doing harm and, I think, the insincerity of their hatred. R. Joḥanan of Sepphoris said[1]: An 'Amha'areṣ may be rent like a fish. Similarly his colleague R. Eleazar b. Pedath: An 'Amha'areṣ may be stabbed on the day of Atonement which falls on a Sabbath. Do not travel in the company of an 'Amha'areṣ; he takes no care of his own life, how much less of the life of somebody else. R. Eleazar further said[2]: Upon one who has no knowledge, you must have no compassion; whoever gives his bread to a man of no knowledge, will be visited by chastisement. The 'Amha'areṣ[3] will not participate in the resurrection (Isa. xxvi. 14). When R. Eleazar noticed that R. Joḥanan was grieved by this statement, he added: Master, I have found in the Bible a remedy for the 'Amha'areṣ, that they should support the scholars. About sixty years before these two teachers, the patriarch R. Jehuda I in Sepphoris said:[4] God's punishment comes upon the world only on account of the 'Amha'areṣ. Only such as study Torah should eat meat; but it is forbidden to those who do not study it.[5] There was once a famine, and the patriarch when opening all his stores of victuals to the people announced: Those who know Bible or Mishna or Talmud or Halakha or Haggada, may enter, but the 'Amha'areṣ

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people; but love all of them and hate the Minim, the apostates and the informers.

[1] *Pesaḥ.*, 49 b.
[2] *Synh.*, 92 a
[3] *Kethub.*, 111 b.
[4] *Baba bathra*, 8 a.
[5] *Pesaḥ.*, 49 b.

shall not enter. One of his disciples, pretending to be an 'Amha'areṣ, asked for assistance, in order to prove to his master the injustice of this measure.[1] And his contemporary bar-Kappara, who studied, preached and lived in Sepphoris for a time, said: Prohibit to thyself, by vow, intercourse with him who has no share in the study of Bible, or Mishna or culture, for to him apply the words in Psalm i. 1, 'Happy is he who does not sit in the seats of scoffers.'[2]

5. The strained relations between the Jewish population and the scholars account for two occurrences of haughty and harsh demeanour on the part of two scholars. R. Simon b. Eleazar[3] came slowly riding on an ass along the sea-shore from Migdal-'Eder from his teacher's school; he was in high spirits and very proud of his learning. A very ugly man met him and saluted him; but the scholar did not return the greeting, but said instead: Reka, how ugly are you! Are all the inhabitants of your town as ugly as you? The man replied: I do not know, but go and tell the Master who formed me how ugly the vessel is which he made. The scholar, now aware of his sin, alighted from the ass, fell down at the man's feet and begged him to pardon and to forgive him. Yet the man said: I will not forgive you, unless you go to the Master who made me, and tell him how ugly the vessel is

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[1] *Baba bathra*, 8 a.

[2] *Kiddush.*, 40 b, ff. The same statement is quoted in *Aboth R. Nathan*, 2nd version, XXXV, 44 a, in the name of R. Eliezer b. Jacob of the second century in Galilee in a slightly varied form: Have two handles, one of learning Thora and another of culture, for he who is not possessed of Bible, or Mishna, or culture, does not belong to human society (*Mishna Kiddush.*, I, 10 b). The meaning of culture is not quite clear in the context. Were there Jews in Galilee, especially in Sepphoris, who had no knowledge of the Hebrew literature whatever and no culture, and therefore had too much time for scoffing at the scholars? There were probably even men who did not observe the Jewish law at all; for R. Eleazar b. Pedath explains in *Sota*, 46 b, *Ḥagiga*, 14 a, נערים in 2 Kings ii. 23, and Isa. iii. 4, to mean people who were void of all religious deeds and were of poor faith.

[3] *Ta'anith*, 20 a (see Rabbinowicz), in a Baraitha, *Aboth R. Nathan*, XLI, 66 a, *Derekh 'ereṣ*, IV.

which he made. He followed the scholar to his town, where the people came out to meet R. Simon b. Eleazar; and they greeted him: Peace be with you, Rabbi, master, master! The man interposed: If this is a master, may such not increase in Israel! When he told his case, the people asked him to forgive the scholar; and he did so only for the sake of the people. R. Simon then went to the school and taught: one should always be soft like the reed and not unbending like the cedar; that is why the reed was distinguished and used for a pen to write therewith scrolls of the Torah, Tefillin and Mezuzas.

R. Jannai of Sepphoris[1] once met in the street a man whom on account of his neat dress he thought a scholar and invited him to his house; the man accepted the invitation. After dinner R. Jannai tested his knowledge of Bible, Mishna, Agada, Talmud, all in vain, for the stranger had no knowledge whatever. When asked to say grace and he refused to do so, R. Jannai called him a dog. The man got up, seized the scholar and said: You withhold my inheritance! When the scholar inquired what it was, the stranger said: According to Deut. xxxiii. 4, a verse which I have heard children say in a school, the Torah is not Jannai's, but every Jew's property. And then he went on explaining to R. Jannai that he had never repeated to the slandered man any calumny he heard, and never had seen people quarrelling without having made peace between them. Then R. Jannai said: You have so high a moral sense and I called you dog; great is your merit!

In both cases the man, although ignorant, has a sound, moral mind and insists on his superiority of character, and after persisting is acknowledged to be in the right. The scholars admit the wrong which they have inflicted upon common, ignorant men, and willingly recognize the good qualities of their opponents. The attitude of the rabbis suggests that such qualities were, as a rule, not expected to exist in the average man of Sepphoris and other parts of Galilee. And the first stage of the conflict clearly shows that there was no intercourse between rabbis and the people, and that the scholars despised the 'Amha'areṣ, obviously in return for the hatred exhibited by the wealthy against them.

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[1] *Lev. rab.*, ix. 3.

6. There were to the minds of the scholars themselves other reasons why they were criticized, why little respect was felt for them and why they failed to win the people at large for scholarship and religious observance. Several incidental sentences of leading scholars indicate that there were in Sepphoris members of the schools who gave offence by not observing the laws taught or learnt by them. The patriarch R. Jehuda I asked R. Beṣal'el: Did Hosea, in ii. 7, mean to say that our mother Sarah was a harlot? R. Beṣal'el replied: God forbid; it only implies that the words of the Torah become despicable like a harlot in the eyes of an 'Amha'areṣ, when their possessors (i. e. the scholars) despise the Torah.[1] A friend of the same patriarch, R. Simon b. Ḥalaftha, said: The punishment of one who has learnt the Torah and does not observe it, is heavier than that of one who has not learnt anything.[2] Another colleague of R. Jehuda I, R. Ḥiyya, said: For him who learns without the intention to practise the law, it would have been better that he should not have been created.[3] And in the generation preceding that of

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[1] *Ruth rab.*, i. 1. § 2. It would seem from R. Joḥanan's comment on this that the saying referred to unworthy judges, as R. Simlai in his interpretation of the same verse in *Deut. rab.*, ii. 19, said: They put their own words to shame with the 'Amha'areṣ, when the scholar teaches in public not to lend money on interest but does so himself, not to steal or rob, but does so himself. But other passages show that the plain meaning of the statement refers to scholars generally and that R. Joḥanan only gave one striking instance from his own times.

[2] *Deut. rab.*, vii. 4, interpreting Isa. xxvi. 10.

[3] *Lev. rab.*, xxxv. 7, *Sifra* on Lev. xxvi. 3, p. 110 c, § 5, *jer. Berakh.*, I, 3, 3 b, 25. Cf. the strong language used by R. Simon b. Eleazar (in *Yalkut Mekhiri* on Ps. xlix. § 18, quoted from the *Sifrê*, now included in Hoffmann's *Midrash Tanna'im*, p. 8, in his statement: אין לך כל ישיבה וישיבה שאין ממנה לגיהנם אבל ישיבה אחרונה כולה לגיהנם שנאמר כי יראה חכמים ימותו וגו׳, There

the patriarch, R. Ishmael b. R. Joḥanan b. Beroka said: He who learns with the view to teach, to him the means will be vouchsafed both to learn and to teach; but he who learns in order to practise, to him the means will be vouchsafed to learn and to teach, to observe and to practise.[1] And in the first half of the third century two teachers of Sepphoris point to the contradiction between study and practice in the lives of students.[2] R. Jonathan b. Eleazar called out: Woe to the scholars who study the Torah and have no fear of God in them! And R. Jannai said with reference to such students: Woe to him who has no dwelling and makes a gate to a dwelling![3] The predominance of mere study of the Torah unattended by fear of God and pious deeds was the cause of R. Jannai's outburst; it must have been occasioned by the actual state of affairs in the schools of his time. And his pupil R. Joḥanan said: For him who learns without practising the Torah, it would be better that he had died before his birth.[4] He who endangers his teaching by doing things which contradict it, is poor.[5] If the teacher (in his conduct) is like an angel of

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is no school in which there are none to go down to hell. It may have referred to the same anomaly in a scholar's religious practice.

[1] *Aboth*, IV, 5 a. An earlier instance of the same criticism shows that this strange inconsistency was an evil of the Galilean schools. Apart from the singular behaviour of 'Elisha' b. 'Abuya of Tiberias, who in the end gave up the religious practice of the commandments, a saying of R. Ḥanina b. Dosa of 'Arab, near Sepphoris in the first century, reveals the same spirit in contemporary scholars. He said (*Aboth*, III, 9, cf. the identical sentence of R. Eleazar b. 'Azaria in *Aboth*, III, 17): He in whom the fear of sin comes before wisdom, his wisdom shall endure; but he in whom wisdom comes before the fear of sin, his wisdom will not endure. He whose works exceed his wisdom, his wisdom shall endure; but he whose wisdom exceeds his works, his wisdom will not endure. In *Aboth R. Nathan*, 2nd version, XXXII, 35 a, in an anonymous application of an example illustrating Ps. l. 16, God said to the wicked: You have no good deeds, and you want to study the Torah! You do not observe my laws, how will you discuss them? (In *Ḥagiga*, 15 b, this verse is applied to 'Elisha' b. 'Abuya.)

[2] *Joma*, 72 b.

[3] *Sabb.*, 31 b; Bacher, *Pal. Amoräer*, I, 37.

[4] *Lev. rab.*, xxxv. 7.

[5] *Kohel. rab.*, ix. 16.

the Lord of hosts, then and only then seek the Torah from his mouth.[1] R. Simon b. Laḳish said: A scholar must be well versed in all the twenty-four books of the Bible and be chaste and without blame.[2] A colleague of both in Sepphoris, R. Eleazar b. Pedath, in describing Doëg and 'Aḥitofel's characters, said: Originally they were not observant, and they remained the same even after having acquired knowledge.[3]

7. There were some scholars in Sepphoris who studied the Torah not for its own sake. For R. Benaya of this city about the year 200 said: The Torah proves a drug giving life to him who occupies himself with it for its own sake; but it is a deadly drug to him who studies it not for its own sake.[4] The same can be inferred as to Tiberias or 'Usha in the middle of the second century from R. Meir's strong praise of a man who devotes himself to study for the sake of the Torah.[5] Of the teachers of the beginning of the third century, R. Alexander said: He who occupies himself with the Torah for its own sake, effects peace with the hosts in heaven and also on earth. R. Joḥanan adds: He who studies in that way, protects by this merit the whole world.[6] And the discussion of the healing and slaying power of the Torah, emphasized by R. Benaya and continued throughout the whole of the third century, clearly proves that some scholars were not actuated by pure motives in taking up the study of the Torah. So Jehuda, the son of R. Ḥiyya, said: God's ways are not like those of man; man gives to his

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[1] *Ḥagiga*, 15 b; *Moëd Kat.*, 17 a, on Malachi ii. 7.

[2] *Cant. rab.*, iv. 11.

[3] *Num. rab.*, xviii. 17.

[4] Baraitha in *Ta'anith*, 7 a. In *Sifrê Deut.*, 306, 131 b, the statement is reported in a different form, inasmuch as it deals with the practice and not the study of the Torah.

[5] *Aboth*, VI, 1. In *jer. Ḥagiga*, II, 1, 77 c, 17, R. Jehuda I said with reference to 'Elisha' b. 'Abuya: Since this scholar who studied the Torah not for its own sake, produced a disciple of the greatness of R. Meir, how much more may we expect from a scholar who studies the Torah for its own sake.

[6] *Synh.*, 99 b.

fellow a drug which does good to one, but harm to another; but God gave the Torah as a drug of life to Israel.[1] R. Joshua b. Levi expressed the same idea in a different way: Deut. iv. 44 teaches that the Torah is a drug of life to him who proves good, but is a deadly drug to him who does not prove good. R. Jonathan b. Eleazar of Sepphoris said: 'The statutes of the Lord are right, rejoicing the heart' (Ps. xix. 8) means: if the student proves good, the Torah rejoices him, otherwise it burns him. R. Simon b. Lakish said: If he proves good, the Torah purifies him for life, otherwise for death.[2] All this was directed against those who in studying the Torah did not allow it to permeate their actions. The inconsistency between their scholarship and practice forced itself upon the attention of the haters of the teachers and counteracted the efforts of the rabbis to win the people for the Torah. What the purpose of their study was, it is difficult to state. If it was pure interest in study and nothing else, it testifies to the great attraction which the study of the Torah exercised even in Galilee. But it is also possible that it was the ambition to belong to the ranks of the scholars. For an anonymous rabbi of the second century says emphatically: One should not say, I will learn Bible to be called a scholar, I will learn Mishna to be called master, and I will study to become a member of the Bêth-din; but he should learn for love, and honour will come in the end.[3]

It seems that such scholars only attended the lectures and discussions in the schools, but attached themselves to no individual scholar for the purpose of acquiring the practice of religion and culture. For R. Simon b. Joḥai of the middle of the second century states: More important than study is intercourse (שמוש) with a teacher, as we find expressly stated of ’Elisha‘ that he poured water upon the hands of Elijah (2 Kings iii. 11).[1] And R. Jacob of the same date said: Also he who has no intercourse with scholars, will have no share in the future world.[2] R. Jannai of Sepphoris declared: He who studies Bible and Mishna and has no intercourse with scholars, is like a Samaritan.[3] And R. Jôsê b. Ḥanina said: The sword will come upon those scholars who sit and study separately.[4] It was, therefore, natural that the rabbis had to be careful in admitting students. R. Simon b. Eleazar said: Prov. xxvi. 8 blames him who teaches a wicked disciple; he is like him who adds a stone to the heap of Hermes, he is an idolater.[5] And R. Joḥanan taught: The two kinds of trees in Deut. xx. 19 ff. represent worthy and unworthy scholars; eat of the first and do not cut it down, destroy the other and cut it down. R. Ḥanina b. Papa in reconciling Isa. xxi. 14, with lv. 1, said: ‘Ho, every one that thirsteth, *go* ye to the waters’ refers to the unworthy disciple; ‘*bring* water to the thirsty’ refers to the worthy student.[6] Whether they succeeded in keeping at a distance these zealous but irreligious disciples, is not reported; but we may see in them representatives of the real Galilean Jews, obviously of the wealthier class, who were attracted by scholarship, but, owing to the negative spirit prevailing in Galilee, differed materially from the bulk of the students by their lax observance of the Torah.

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[1] *'Erub.*, 54 a; Bacher, *Tannaiten*, II, 540, 3. See also *Sifrê Deut.*, 45; *Kiddush.*, 30 b, in a Baraitha.

[2] *Joma*, 72 b.

[3] Baraitha in *Nedar.*, 62 a; *Sifrê Deut.*, 48, p. 84 b.

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[1] *Berakh.*, 7 b.

[2] *Aboth R. Nathan*, XXXVI, 55 a. ר״ע can hardly mean R. ‘Akiba after R. Meir, but, as in other passages quoted above (p. 27, note 1), R. Jacob.

[3] *Sota*, 22 a.

[4] *Berakh.*, 63 b.

[5] *Tos. ‘Aboda zara*, VI, 18.

[6] *Ta‘anith*, 7 a.

CHAPTER V

THE MAINTENANCE OF THE SCHOLARS IN SEPPHORIS.

1. The great poverty of the teachers in Galilee in the second and third centuries has often been described, and it is not necessary to array the references here. But we must mention the very instructive example of Sabbath observance, which, if carried out according to the prescription of the rabbis since Shammai, would have involved considerable expense, but proved impossible in practice on account of poverty. A great exertion to honour the Sabbath by special garments and special meals[1] was a characteristic feature of strict Jews, and excited, as is well known, the taunts of Greek and Roman writers.[2] R. Ḥanina of Sepphoris taught[3]: Two garments are required, one for every day, the other for the Sabbath, and this is also meant in Naomi's words in Ruth iii. 3. This statement was directed against people in Sepphoris failing to distinguish by special garments the Sabbath from the weekday, as is implied by the following incident. When R. Simlai, a disciple of R. Ḥanina, in his sermon[4] quoted his teacher's rule, the audience wept, crying out: Master, we possess only one garment for both the Sabbath and weekdays. He then taught them to effect at least some change in the garment in such a case. In another passage scholars of the second half of the third century and the beginning

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[1] See *Book of Jubilees*, II, 21, 31, L, 9, 10.

[2] Plutarch, *Sympos.*, VI, 2; Persius Flaccus, *Satir.*, V, 183.

[3] *Jer. Pe'a*, VIII, 8, 21 b, 1; *Ruth rab.*, iii. 3; *Pesiktha rab.*, XXIII, 115 b.

[4] According to *Pesiktha* given in Tiberias.

of the fourth complain that people sit without light on Sabbath night and lack the conveniences of life which were considered a proper preparation for receiving the Sabbath.[1] The scoffs of the mimes on the stage of the theatre in Caesarea, reported by R. 'Abahu,[2] that the Jews had no fuel to cook their food for the Sabbath, is very telling. To earn a living was declared by R. Eleazar b. Pedath of Sepphoris[3] as great a miracle as Israel's redemption from Egypt, and earlier, by R. Joshua b. Levi, a greater miracle than the division of the Red Sea. Great scarcity of money prevailed,[4] and people were compelled to reap green stalks of corn for want of food.[5]

2. Scholars in great poverty continued devoting themselves to the study of the Torah, while wealthy men cared little or nothing for it. This is evident from a Baraitha which for its peculiar style is worth quoting:

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[1] In *Sabb.*, 25 b, Lam. iii. 17 is commented upon: 'And thou hast removed my soul far off from peace, I forget prosperity,' R. 'Abahu said: This refers to the lighting of a lamp on Sabbath; 'I forget prosperity' refers, according to R. Jeremiah, to a bath; according to R. Joḥanan, to washing hands and feet in warm water; according to R. Isaac, to a nice couch and nice covers on it; according to R. 'Abba, to the spread couch and the wife adorned for her husband who is a scholar. (The wording in *Midr. Threni*, iii. 17, is utterly corrupt.) Some of these things are explicitly required for the honour of the Sabbath in *Sabb.*, 119 b, and 25 b; cf. also *Gittin*, 38 b.

[2] *Threni rab.*, iii. 5.

[3] *Genes. rab.*, xx. 9.

[4] R. Isaac in *Pesiktha*, 101 b, said: Formerly when a Peruta was always to be had, people liked to hear learned points (in the synagogue), but at present, when a Peruta is not always to be had, and especially as we have to suffer from the Romans, people prefer to hear Bible, Agada and consolations. Compare with this *Sifrê Deut.*, 326, p. 139 a, on Deut. xxxii. 36, 'when he seeth that their power is gone,' when the Peruta is at an end in the purse. It shows that extreme poverty prevailed also in the second century, and, as we know, as a sequel to the bar-Cochba war. R. Joḥanan reports in *Ta'anith*, 19 b, that he remembered the time when victuals were extremely dear and people died of starvation, caused by want of money, in Tiberias. He himself had suffered terribly, probably on that occasion, *jer. Joma*, VIII, 5, 45 b, 6. In the Gospel to the Hebrews (in Origen, *ad Matth.*, XIX, 16) Jesus said to the rich: 'Et ecce multi fratres tui filii Abrahae amicti sunt stercore, morientes prae fame.'

[5] R. Isaac in *Genes. rab.*, xx. 10, said: God's curse upon the first man, 'Thou shalt eat the herb of the field' (Gen. iii. 18), applies to our own time, as people pluck out the stalks when yet green, for want of corn.

God weeps daily over three classes of men: over him who could study the Torah and fails to do so, over him who cannot study the Torah and yet does so, and over a Parnas who behaves haughtily towards the congregation.[1] Most of the students had no means, and only few were provided for. Wealthy young men were engaged in farming or exceptionally in business, and it did not occur to them to join a school for grown-up students. It is they whom the quoted Baraitha blames. The same reproach in the same words was advanced by R. Nehorai of Sepphoris in the middle of the second century in his interpretation of Num. xv. 31: 'a despiser of the word of God' is he who could occupy himself with the Torah but fails to do so.[2] Owing to the hard pressure of poverty enhanced by the persecutions under the emperor Hadrian, some scholars gave up partially the study of the Torah. R. Jehuda b. 'Il'ai, who before the year 135 had been a disciple at the schools of Jamnia and Lydda and after the persecutions settled in 'Usha in Galilee as one of the leading teachers and members of the central school, stated the essential differences as to the time and care devoted to the study of the Torah in the two generations before and after the Hadrianic persecutions respectively. The former generation made study their fixed work and business a secondary occupation and they were successful in both. The present generation make business their fixed work and study a secondary occupation and they are successful in neither.[3] Accordingly his advice is: He who makes the words of the Torah his primary task and the worldly life secondary, will become important in the world to come; but whoever makes the words of the Torah secondary to the worldly life, will become of minor weight in the world to come.[1] And therefore he advised his contemporaries to take the middle course. His friend R. Meir had a more uncompromising view on the matter; he taught: Do little business and occupy thyself in the Torah and be of humble spirit to every one. If you give up the Torah, there will come many diversions against you (even in your business), whereas if you study continually Torah, there is great reward for you.[2]

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[1] *Ḥagiga*, 5 b. Note the popular tone of the statement; its extreme anthropomorphism proves it to have been a part of a sermon addressed to the people.

[2] *Synh.*, 99 a. In *Sifrê Num.*, 112, it is quoted in the name of R. Nathan of the same date differently: he who could learn and does not learn.

[3] *Berakh.*, 35 b.

3. A colleague of R. Jehuda and R. Meir, R. Simon b. Johai, held that the proper thing ought to be for everybody to devote all his time to the study of the Torah. But on account of Israel's neglect in fulfilling the will of God, we have to do our own agricultural work ourselves and even that of others, and this occupies our time all the year round, and no time is left for study.[3] Only the Israelites supplied with manna were able to study the Torah; but how can he do it who whilst sitting and learning does not know from where he can get food, drink, linen and clothes[4]? Besides the Israelites provided with manna, only the descendants of Aaron, the priests, who receive priestly dues, could study. In fact, the priests in Galilee were as a rule wealthy,[5] and they were justly expected to add to their birthright some knowledge of the Torah in its comprehensive sense. Yet most of them only claimed and received their various dues, without exhibiting great zeal in joining the ranks of the scholars or the schools. R. Jehuda said with

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[1] *Aboth R. Nathan*, XXVIII, 43 b, Bacher, *Tannaiten*, II, 196, 4.

[2] *Aboth*, IV, 10. Cf. R. Meir's other sentence reported by R. Simon b. Eleazar in *Aboth R. Nathan*, XXIX, 44 a, on the same subject.

[3] *Sifrê Deut.*, 42, *Berakh.*, 35 b.

[4] *Mekhiltha* on Exod. xvi. 4, p. 47 b, and on xiii. 17, p. 23 b.

[5] *Sifrê Deut.*, 352: ברך יי חילו, בנכסים. מכאן אמרו רוב כהנים עשירים הם. משום אבא דורש אמרו נער הייתי גם זקנתי ולא ראיתי צדיק נעזב וזרעו מבקש לחם זה זרעו של אהרן. Deut. xxxiii. 11, 'Bless, O Lord, his substance,' with property; from here it has been inferred that most priests are rich. In the name of 'Abba Doresh, it was reported that Ps. xxxvii. 25, refers to Aaron's descendants.

reference to such Aaronites: Every priest who eats his dues without being a scholar, will be no priest in the messianic times.[1] And two scholars of Sepphoris of the third century confirm the general impeachment. One of them, himself a descendant of Aaron, R. Jannai, said: On the grave of every priest who is no scholar, one may eat priestly dues. And R. Joḥanan, interpreting 'Her priests have violated my law and have profaned mine holy things' (Ezek. xxii. 26), said: If a priest is no scholar, he does not know how to distinguish between holy and common things.[2] Josê of Ma'on near Tiberias of the third century preached in the synagogue of his place: God will once call the Aaronites to account and ask them why they did not devote themselves to the study of the Torah, since they were receiving the dues of the priests.[3] And R. Jonathan b. Eleazar of Sepphoris deduced from the Bible the prohibition to give priestly dues to an ignorant priest, and R. Joḥanan added that he who gives them to such a man, causes his death.[4]

4. Neither the wealthy landowners, nor the descendants of Aaron with a fair income, devoted, as a rule, their sons to the study of the Torah; only poor young men joined the schools in Galilee. Before the catastrophe in the year 135, several men of Galilee had studied for years and up to full manhood in Jamnia and Lydda; but it is not reported whether it was their own means which had enabled them to devote themselves exclusively to study. Incidentally reference is made to the great poverty of two very able scholars at the school of Jamnia, Eleazar Ḥisma

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[1] *Exod. rab.*, xxxviii. 3. In an anonymous statement in *Sifrê Num.*, 119, p. 39 b, it is said that a priest is like an angel of God (Mal. ii. 7), if Torah comes forth from his mouth, otherwise he is like a beast and cattle which do not know their master. The school of R. Eliezer b. Jacob in Sepphoris or Tiberias taught (*Synh.*, 90 b) that he who gives dues to an ignorant priest, burdens him with the great sin involved in the improper handling of the priestly dues.

[2] *Tanḥuma*, הרומה 1. The commentator emends מוהר לאכול על קברו תרומה into מתיר לאכול.

[3] *Jer. Synh.*, II, fin., 20 d, 2, *Genes. rab.*, lxxx. 1.

[4] *Synh.*, 90 b.

and Johanan b. Nuri, one a mathematician, the other an astronomer, and R. Joshua b. Ḥananya expected the head of the school, R. Gamaliel, to provide for them.[1] Again we hear of the support given to poor students by a wealthy scholar of priestly descent, R. Tarfon, through the intervention of R. 'Akiba,[2] of a collection of money by R. Eliezer, R. 'Akiba and R. Joshua for the students,[3] and of the constant support of the scholars by Theodos, a wealthy Jew in Rome.[4] Some of the young scholars in Judaea may have been maintained by their parents living in Galilee who were ready to make sacrifices for the religious study of their sons. The war of bar-Cochba, however, wrought a terrible change in this, and even the better situated, deprived by the war of support from home, had to give up studying and to look for some kind of living. Even those who, in spite of these changes, remained faithful to their study, in many cases required encouragement to persevere. So R. Simon b. Joḥai said to his disciples: When you see that the Torah is greatly neglected, keep to it all the more steadfastly, and you will receive the reward of all.[5] The teachers did their utmost to strengthen the wavering, of whom there were, no doubt, not few. R. Joshi'a and R. Matthia were studying together; when R. Joshi'a decided to turn to business, R. Matthia told him: Why do you abandon the words of the living God and indulge in worldly affairs? Although you are my teacher and I am your disciple, I still reproach you with this.[6] R. Simon b. Joḥai said: 'The crooked which cannot be made straight' (Eccl. i. 15) applies to a scholar who abandons the study of the Torah.[1] R. Simon b. Gamaliel II, the head of the central school in 'Usha, said[2]: To a scholar who abandons the study of the Torah, Prov. xxvii. 8 applies: 'Like a bird that wandereth from her nest, so is a man that wandereth from his place.' An anonymous scholar brought very strong pressure to bear upon his disciples by telling them: A scholar who has studied Mishna and abandons it will have no share in the world to come, in accordance with Jer. ii. 5: What iniquity have your fathers found in me that they are gone from me?[3] All these sayings referred to scholars of Galilee at large and to the first half of the second century.

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[1] *Horay.*, 10 a.b, Bacher, *Tannaïten*, I, 2nd edition, 368, 4.

[2] *Lev. rab.*, xxxiv. 16, *Pesiktha rab.*, XXV, 126 b.

[3] *Jer. Horay.*, III, 7, 48 a, 44.

[4] *Jer. Pesaḥ.*, VII, 1, 34 a, 59, b. 53 b, Vogelstein in *Grätz' Monatsschrift*, XLIX, 1905, 440.

[5] *Jer. Berakh.*, IX, 8, 14 d, 3.

[6] *Aboth R. Nathan*, I, 1 a; about the chronological difficulties in the alleged relation between the two teachers, see Bacher, *Tannaiten*, I, 2nd edition, 380, 6.

In Sepphoris there was in the second half of the second century a society called The Holy Congregation, the learned members of which divided their time between study of the Torah, prayers and work. One of their principles, as the patriarch R. Jehuda I in Sepphoris reported it, was: Learn a craft along with the Torah.[4] And one of their rules, quoted by R. Joḥanan in Sepphoris, was: Make thy Sabbath (in food and drink) a weekday and do not depend on other people.[5] The full independence at which they were aiming, could only be realized by adopting a regular handicraft. On the same grounds the patriarch himself urged the necessity of a worldly occupation. He said: Of a man who has no occupation, people speak unfavourably and ask: Whence has this man his food?[1] And before his times R. Josê b. Ḥalaftha of Sepphoris quoted the same sentence of R. Gamaliel II, emphasizing the importance of a handicraft which enables a man to be in all circumstances free from suspicion.[2]

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[1] *Ḥagiga*, I, 7.

[2] *Kohel. rab.*, i. 15, 2; cf. *Ḥagiga*, 9 b, *Tos. Ḥagiga*, I, 8, where R. Jehuda b. Lakish is quoted as author, but probably was only the scholar who reported the statement of R. Simon b. Gamaliel, as elsewhere.

[3] *Aboth R. Nathan*, XXXVI, 55 a, וחכמים אומרים. It is possibly the same Baraitha as is quoted by R. Eleazar b. Pedath of Sepphoris in *Kethub.*, 111 b: Scholars who give up studying will not share in the resurrection; see also the Baraitha in *Pesaḥ.*, 49 b, that he who studies and gives it up, is the worst of all, and *Sifrê Deut.*, 343, p. 143 a bottom.

[4] *Kohel. rab.*, ix. 9; according to another tradition given there, they studied in winter and worked in summer. The seat of the society is not reported; but it was undoubtedly Sepphoris, since R. Jehuda I and R. Joḥanan were in communication with its members, and since R. Josê b. Meshullam and R. Simon b. Menasya (*jer. Ma'aser sheni*, II, 10, 53 d, 4, *Kohel. rab.*, ix. 9), the heads of the society about the year 200, were members of the school of R. Jehuda I, which was in Sepphoris (*Tos. Synh.*, XI, 8; *jer.*, XI, 4, p. 30 a, 55; *Aboth*, VI, 8, Bacher, *Tannaiten*, II, 85, 7 ff.).

[5] *Pesaḥ.*, 113 a.

5. Yet most of the young scholars who joined the schools had no occupation; and even if they had, yet to earn a living, as R. Josê b. Ḥalaftha of Sepphoris put it, was twice as difficult as giving birth.[3] Without support it would have been impossible for those who came from other places to study. An anonymous statement reports that R. Meir gave a third of his small income, earned by copying scrolls of the Torah, to support poor scholars.[4] The patriarch R. Jehuda I, who was very wealthy, invited his disciples, as it seems, frequently to his house.[5] But the means of the scholars would scarcely have been sufficient to support the teachers and their disciples. The only possible way out of the difficulty would have been the offer of the wealthy Jews in Galilee to contribute to the maintenance of the students. As the demand was quite new to the people in Galilee, the mere fact of the starving of the scholars did not suggest to the wealthy to offer assistance; it required a clear suggestion from

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[1] *Aboth R. Nathan*, 2nd version, XXI, 22 b.

[2] *Tos. Kiddush.*, I, 11. The assembly of the scholars in 'Usha discussed the duty of a father to have his son trained for a handicraft (*Kiddush.*, 29 a), and R. Jehuda b. 'Il'ai, one of those scholars, said: He who teaches his son no handicraft, teaches him to become a highwayman. He and R. Meir discussed (*Kiddush.*, IV, 14, b. 82 b) the kinds of arts and crafts which a father should preferably teach his son; and bar-Kappara, who studied and preached in Sepphoris, also dealt with the question (*Kiddush.*, 82 a).

[3] *Genes. rab.*, xcvii. 3.

[4] *Kohel. rab.*, ii. 18.

[5] *Lev. rab.*, xxxiii. 1: When at a dinner given by Rabbi to his disciples some of them selected the softest of the tongues set before them, the patriarch made a remark on the disciples using their tongues about one another. See also *'Erub.*, 73 a, and *Sabb.*, 66 b.

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we find women in Tiberias regularly attending the lectures of R. Meir in a synagogue of Tiberias on Friday night[1] about the middle of the second century; and in Sepphoris an old woman told R. Josê b. Ḥalaftha, the colleague of R. Meir, that she used to go every morning to his synagogue.[2] Another regularly visited the synagogue of R. Joḥanan in the second half of the third century.[3] But these women may have belonged to the poorer class, whereas the wealthier women in their hatred against the scholars refused to contribute to the maintenance of the students. And since the hospitality and the support expected by the teachers depended largely on the mistress of the house, the scholars must have felt their hatred very much.

7. To depend on the goodwill of such people must have been very painful to many of the scholars. Even those who contributed to the support of the schools gave their contribution without love or goodwill. A preacher of the end of the third century in Tiberias, R. Isaac, using Exod. xxxiii. 8, as a text, put the following words into the mouths of the Israelites in the wilderness against Moses: Look at his thigh, look at his legs, he eats and drinks at the expense of the Jews; everything that he possesses comes from the Jews.[4] Obviously this is taken from the people's talk in the times of R. Isaac when men abused their teachers in those terms. Several teachers, therefore, from the very beginning of the settlement of the schools in Galilee, opposed the depending on the hospitality of non-scholars. R. Jehuda b. 'Il'ai said: The prophet Elijah carried with him on his journeys even lamps and wicks, in order that he should not trouble anybody.[5] The school of R. Jannai introduced a prayer

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[1] *Jer. Sota*, I, 4, 16 d, 45, *Levit. rab.*, ix. 9, *Num. rab.*, ix. 20, *Deut. rab.*, v. 15.

[2] Yelammdénu in *Yalkut*, I, 871, Grünhut, ספר לקוטים V, 131 a.

[3] *Sota*, 22 a.

[4] *Jer. Bikkur.*, III, 3, 65 c, 45, *Exod. rab.*, li. 6, *Kiddush.*, 33 b, *Tanḥuma*, B. פקודי, 4, Bacher, *Pal. Amor.*, II, 259, 8.

[5] *Cant. rab.*, ii. 5, § 3.

to be said every morning, including the sentence: Let us not depend upon the gift of men and give not our maintenance into the hands of men; because what they give is little, and great is the shame felt on account of it.[1] R. Eleazar b. Pedath in Sepphoris said: How does the scholar impress the ordinary man? First he appears to him as a vessel of gold; after he has spoken to him, he is like a vessel of silver; when he has had any benefit from him, he appears to him like an earthenware vessel which, once broken, has no remedy.[2] R. Johanan and R. Eleazar said: As soon as one has to depend on other people's assistance, his face changes like a worm.[3] Such were the feelings of the scholars towards the population of Galilee, caused by the repulsive and forbidding manner in which everbody and everything connected with the rabbis were received by the wealthy people of Sepphoris and the whole of Galilee. The trend of Jewish thought which the rabbis represented, taught and inculcated, was clearly foreign to the leaders and the wealthy men of Galilee, and the scholars had to suffer for the Torah which they represented.

The main results of these lengthy investigations into the community of Sepphoris are the following. The Jews of this city in the second and third centuries were ruled by a number of wealthy and noble Jews, called for their power in the Hebrew sources *the great ones* and *heads*; while, in their official capacity as representatives of the Jews before the Roman government, they were called *Parnasim*. They were members of the town council which consisted of Jews and non-Jews, and were as such responsible for the full collection of regular and extraordinary taxes and impositions. Of these heavy burdens, due to the Roman system of taxes, they shifted a part on shoulders too weak to carry them, and made the ordinary people feel their power and their position. But they themselves also felt severely the drain of the taxes. They were also the born judges of the Jews and, in basing their decisions on some non-rabbinic law or other and on the consideration of their own interests, were sometimes guilty of injustice and corruption. By whom they were appointed is not evident from the reports. In their private dealings, the wealthy and the land-owning middle class were charged by the rabbis with violence, dishonesty and immorality and with promising but not paying charitable contributions. The leading and the land-owning class received the great number of scholars and disciples, who after the war of bar-Cochba settled in Galilee, with little sympathy. This soon grew into hatred and contempt, owing to their persistent and justified criticism of the official and private dealings of the wealthy part of the population. The latter not only refused to support the mostly poor scholars and students, but in return spread all kinds of slander about the teachers. There were in Sepphoris scholars whose conduct afforded a basis for such generalizations and whose religious practice was not in agreement with their knowledge of the Torah. The discussion of all these points affords a fairly clear insight into the life of all the sections of the Jewish population in Sepphoris and in the whole of Galilee in the second and third centuries.

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[1] *Jer. Berakh.*, IV, 2, 7 d, 54.

[2] *Synh.*, 52 a. b. In *Aboth R. Nathan*, 2nd version, XXXI, 34 b, some variants read: if he eats and drinks with him, he is like an earthenware vessel.

[3] *Berakh.*, 6 b.

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